

# **‘No Spy Waihopai’: How does Praxis Inform the Theories of Pragmatic Nonviolence?**

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**Peace and Conflict Studies**

I certify that this dissertation does not incorporate without acknowledgement any material previously submitted for a degree or diploma in any university; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

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# Abstract

This research attempts to analyse whether the praxis of a failed nonviolence campaign informs Gene Sharp's pragmatic nonviolence theories. It summarises the theory into an eleven point checklist, and then outlines the history of a thirty year campaign against a Five Eyes spy base at Waihopai, New Zealand. The case study is then analysed through the checklist to ascertain whether the successes and failures of the campaign are predicted by the theory, or if the case study reveals flaws in the theory. The research concludes that the theory is a good fit for the case study, and with minor modifications, remains relevant for this context.

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# Acknowledgements

Gene Sharp, whose significant output in the field of nonviolence has inspired much of this thesis, unfortunately passed away on 28 January 2018. I wish to note the influence that his work has had over not only this academic field, but also activism world-wide. This thesis stands on his intellectual output.

As a “mature student” who has re-engaged with academia through this Master’s degree, I appreciate the excellent teaching and support of the staff and fellow students at the National Centre for Peace and Conflict Studies. Particularly I wish to thank Dr Heather Devere, who has been a supportive and enthusiastic supervisor who has helped me see this thesis through to completion.

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Thanks to Kate Dewes, May Bass, June Gregg, and members of the Anti-Bases Campaign in Christchurch for their enthusiasm for this project, and to Fiona Bowker for her proofreading skills.

This work is devoted to my wife, Gaynor Propsting, my companion on this journey that we take together.

# Introduction

In the study of nonviolence, an increasing amount has been written about the use of the practice in regime change, as the potential for this becomes evident from successes such as The Philippines, South Africa, Serbia, and various Middle Eastern countries. Many of these movements have been directly influenced by nonviolence theory.<sup>1</sup> Academically, the field has moved past the deductive reasoning which created theories from observation of historical events, such as Gene Sharp's fundamental work *The Politics of Nonviolent Action*, to begin investigation into the nuances of various nonviolent methods, further exploring the role that context has on the success of nonviolence, and pinpointing which factors in campaigns are most influential in that success. Chenoweth and Stephan's empirical work on the relative success of nonviolent over violent struggle has been particularly influential.<sup>2</sup>

This focus is reflective of much of the field internationally, which is very invested in learning more about what brings about regime change, the downfall of dictatorships, the end of apartheid and similar systems, but which has not engaged as much with the everyday activism of thousands of campaigns across the first world against military bases, nuclear weapons, military action, and government cutbacks in welfare and public spending.<sup>3</sup> Nepstad notes that we cannot assume the factors shaping nonviolent revolutions against political rulers are the same as the ones that shape nonviolent struggles against other organisations and systems.<sup>4</sup>

In New Zealand, work on nonviolent campaigns in this liberal, democratic nation has largely been at the descriptive, rather than analytical, levels, commonly written by activists.<sup>5</sup> These

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<sup>1</sup> Gene Sharp was, for example, approached to provide materials to support a nonviolence movement in Burma, which was published as Gene Sharp, *From Dictatorship to Democracy: A Conceptual Framework for Liberation*, 4 ed. (Boston, MA: The Albert Einstein Institution, 2010). This was originally published in Bangkok in 1993, and since translated into 31 languages. Attempts to distribute it in some places such as Russia, Burma, and China have been met with repression.

<sup>2</sup> See Maria J. Stephan and Erica Chenoweth, "Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict," *International Security* 33, no. 1 (2008); Erica Chenoweth and Maria Stephan, *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict* (New York: Columbia University Press, 2011).

<sup>3</sup> Kurt Schock, "The Practice and Study of Civil Resistance," *Journal of Peace Research* 50, no. 3 (2013): 286.

<sup>4</sup> Sharon Erickson Nepstad, *Nonviolent Struggle: Theories, Strategies, and Dynamics* (Oxford: Oxford University Press, 2015), 167.

<sup>5</sup> See for example, Elsie Locke, *Peace People: A History of Peace Activities in New Zealand* (Christchurch, NZ: Hazard Press, 1992); Trevor Richards, *Dancing on Our Bones: New Zealand, South Africa, Rugby and Racism* (Wellington: Bridget Williams Books, 1999); Thomas Oliver Newnham, *Peace Squadron: The Sharp End of Nuclear Protest in New Zealand* (Auckland: Graphic Publications, 1986); and Maire Leadbeater, *Peace, Power & Politics: How New Zealand Became Nuclear Free* (Dunedin: University of Otago Press, 2013). Waihopai activist June Gregg completed a MA thesis at the University of Bradford in 2000 entitled "Waihopai Women's Camp", but unfortunately the University has disposed of it. Ms Gregg no longer has a personal copy, so I have been unable to access this piece of relevant academic research for this thesis.

books are valuable for the material and knowledge that they bring together, but they do not seek to answer questions about the strength of nonviolence as a method, nor about how it was applied in New Zealand. Their authors do not have the distance from the campaign to critically appraise these movements and their weaknesses, nor the connection to theory to reflect on the relationship between nonviolence theory and praxis. These will be the tasks of this thesis, in relation to a thirty year campaign against a spy base located at Waihopai, New Zealand.

While many international works<sup>6</sup> are deductive in nature, focusing upon movement outcomes to understand when nonviolence is successful, and what its long term consequences are,<sup>7</sup> very few turn this around by analysing case studies to try and understand whether the practice confirms the theory, or if it exposes contradictions or weaknesses. Nepstad,<sup>8</sup> and Ackerman and Krueger<sup>9</sup> have tried this approach, however their work focused upon state-wide movements against regimes, not local campaigns against single issues. Theory is obviously key in informing praxis, but to what extent does the praxis of nonviolence inform its theories?

Nepstad notes that many works only consider successful cases – by ignoring failed cases it is impossible to discern the critical factors that led to victory, and theorists fail to learn from the experience of failure.<sup>10</sup> This thesis will analyse the successes and failures of a thirty year campaign, using both to analyse the value of nonviolence theory.

To engage with these questions, this thesis will have three sections. First, a background to pragmatic nonviolence theory, using Gene Sharp's works as a model. Sharp's theories will be used because not only are they influential throughout much of the world, but also they are the theories that were taught in New Zealand by the Nonviolent Action Network in Aotearoa during the 1980s, a group which included activists who protested at Waihopai spy base.<sup>11</sup> This section

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<sup>6</sup> See Gene Sharp, *The Politics of Nonviolent Action. Part One: Power and Struggle* (Boston, MA: Extending Horizons Books, 1973); Peter Ackerman and Jack DuVall, *A Force More Powerful: A Century of Nonviolent Conflict* (New York: Palgrave, 2000); Doug McAdam and Sydney Tarrow, "Nonviolence as Contentious Interaction," *PS: Political Science & Politics* June (2000); Chenoweth and Stephan, *Why Civil Resistance Works*; Stephen Zunes, Lester R. Kurtz, and Sarah Beth Asher, eds., *Nonviolent Social Movements: A Geographical Perspective* (Malden, MA: Blackwell Publishers, 1999); and Peter Ackerman and Christopher Krueger, *Strategic Nonviolent Conflict: The Dynamics of People Power in the Twentieth Century* (Westport, CT: Praeger, 1994).

<sup>7</sup> Sharon Erickson Nepstad, "Nonviolent Resistance Research," *Mobilization: An International Quarterly* 20, no. 4 (2015): 418.

<sup>8</sup> *Nonviolent Revolutions: Civil Resistance in the Late 20th Century* (Oxford: Oxford University Press, 2011).

<sup>9</sup> Ackerman and Krueger, *Strategic Nonviolent Conflict*.

<sup>10</sup> Nepstad, *Nonviolent Revolutions*, xiii.

<sup>11</sup> See Rachel Bloomfield, *People Organising for Power: Nonviolent Action for Social Change in New Zealand* (Wellington, NZ: Inner City Ministry, 1982); Allan Cumming, *Understanding Nonviolence* (Dunedin: Dunedin Nonviolent Action Resource Group, 1983); *How Nonviolence Works* (Dunedin: Nonviolent Action Network in Aotearoa, 1985); and *How Nonviolence Works* (Nonviolent Action Network in Aotearoa, 2011).



will culminate in a list of key points of pragmatic nonviolence, which outline how it should achieve change. Some alternative theories will be briefly explored in comparison.<sup>12</sup>

Second, a summary of thirty years of campaigning against Waihopai spy base, since the 1987 announcement it was going to be built, will be presented. In particular, this will seek to analyse which types of actions and approaches to nonviolence were most successful, and why the campaign has failed to create change.

Last, the experience of praxis will be compared with the theory of nonviolence. Do the successes of campaigning against Waihopai match the theory? Do the failures indicate where activists have stepped away from theory, or does the failure of praxis indicate problems with applying the theory to this context?

The author has a background as both an activist and a nonviolence trainer, mostly with young activists working in student and peace movements. Much of what the field considers to be a 'pragmatic' approach to nonviolence formed the content of the workshops that I taught in 1990s New Zealand. If I was to return to that work now, over twenty years later, the content would not have changed significantly, despite twenty years of successful and failed nonviolent campaigns internationally and in New Zealand.<sup>13</sup> This thesis is an attempt to inform future campaigns and nonviolent trainers so that they may learn from their past.

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<sup>12</sup> This thesis will limit itself to the exploration of alternative nonviolent theories, and will not for example, contrast them with social movement theory. For more on the potential relationship between nonviolent and social movement theories see Schock, "The Practice and Study of Civil Resistance".

<sup>13</sup> The author attended a nonviolence workshop in 2017 by an international academic. The theoretical content and nonviolent tools were almost exactly the same as taught by the author twenty years earlier. Reading of nonviolence manuals such as Srdja Popovic, Andrej Milivojevic, and Slobodan Djindjic, *Nonviolent Struggle 50 Crucial Points: A Strategic Approach to Everyday Tactics* (Belgrade: CANVAS, 2006) and War Resisters' International, *Handbook for Nonviolent Campaigns* (London: War Resisters' International, 2014) leads to a similar conclusion. For practical training seemingly to be influenced neither by time or location contrasts strongly with formal education which continues to change with time, and is very influenced by context.

# Chapter One: Pragmatic Nonviolence

When people refuse their cooperation, withhold their help, and persist in their disobedience and defiance, they are denying their opponent the basic human assistance and cooperation which any government or hierarchical system requires. If they do this in sufficient numbers for long enough, that government or hierarchical system will no longer have power. This is the basic political assumption of nonviolent action.<sup>14</sup>

This chapter will first provide a general introduction to nonviolence theory and its origins, including the dichotomies of reformist/revolutionary, direct/indirect, and pragmatic/principled nonviolence, along with definitions of pacifism and civil disobedience. It will then focus on pragmatic nonviolence, particularly sources of power, consent theory, pillars of support, and criticisms of its approach in this area. An explanation of the dynamics of nonviolence, contention, repression and ‘political jiu jitsu’ will then follow. The chapter will then explore the outcomes of nonviolent campaigns and consider why they succeed or fail, finishing with a brief exploration of alternative theories. It will conclude by extracting a checklist to be compared with the case study in order to assess nonviolence theory.

There have been numerous texts written on pragmatic nonviolence, and Gene Sharp’s work continues to inspire activists, even as increased understanding of the dynamic produces further studies which are at times critical of Sharp’s theories. It is not intended to reproduce these works in depth, but instead outline the key points and the assumptions behind them. The theory presented in this chapter is general in nature rather than specific to a context,<sup>15</sup> and most often applied to or inspired by country-wide regime change, rather than specific liberal-democratic policy change.

## History of Nonviolence

Nonviolence has a long history, which this thesis will not attempt to trace. However, three important theorists and practitioners are particularly influential on both the theory and practice of nonviolence and worthy of brief explanation: Thoreau, Gandhi, and King. Thoreau

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<sup>14</sup> Sharp, *The Politics of Nonviolent Action. Part One: Power and Struggle*, 64.

<sup>15</sup> While it has been used in many different contexts, Sharp’s pragmatic nonviolence theory has been developed by a white male citizen of a Western military power, which no doubt shapes it.

introduced key ideas while explaining his own civil disobedience: that there is a higher moral law, and that where that moral law is in conflict with the law of the land, the duty is to violate that lesser law, which will lead to consequences such as jail.<sup>16</sup> He was dismissive of institutional methods of change, such as voting, to address the conflict of laws, stating that “Even voting *for the right* is *doing* nothing for it. It is only expressing to men feebly your desire that it should prevail. A wise man will not leave the right to the mercy of chance, nor wish it to prevail through the power of the majority”.<sup>17</sup>

Thoreau’s writings, along with letters and writings from Tolstoy,<sup>18</sup> influenced Gandhi as he began to create his own theories of nonviolence, first in South Africa, and then in India. Gandhi’s contribution to nonviolent theory and praxis is often presented as primarily moral in character, but this underplays the significance of his strategic awareness.<sup>19</sup> With these two strengths he created the first theoretical model of nonviolent action.<sup>20</sup> Gandhi’s approach was based on *ahimsa* (nonviolence, or creation of understanding) and the use of suffering to engage in *satyagraha*, which is “the fight for truth and collective self-realisation through nonviolent resistance against falsity, violence and oppression, and a preparedness to endure the personal consequences of this fight and struggle”.<sup>21</sup> Gandhi saw nonviolence as a process that brought understanding rather than defeat to the opposition, and believed that means of change needed to be linked to end goals. He therefore engaged in constructive practices, seeking to create nonviolent structures and practices in society as part of the process of change.<sup>22</sup> Gandhi was not only successful in freeing India from British rule, but his theories and praxis of nonviolence continue to influence theorists and practitioners of nonviolence today.

Martin Luther King, Jr., inspired by both Thoreau and Gandhi, led a series of nonviolent campaigns to end segregation in Southern USA. King, like Gandhi, came from a spiritual background, and saw his approach to nonviolence as one of challenging unjust systems and practices, rather than the people who happened to implement them. He also adopted a willingness to accept suffering without retaliation as a tool for transforming opponents, centred upon a principle of *agape* (love) for opponents and a faith that justice would prevail.<sup>23</sup> King

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<sup>16</sup> Henry David Thoreau, *The Variorum: Civil Disobedience* (New York: Twayne Publishers, Inc, 1967), 19.

<sup>17</sup> *Ibid.*, 37. Emphasis in original.

<sup>18</sup> Leo Tolstoy, *Letter on Nonresistance* ([www.nonresistance.org](http://www.nonresistance.org), 1890).

<sup>19</sup> Nepstad, "Nonviolent Resistance Research," 417.

<sup>20</sup> Todd May, *Nonviolent Resistance: A Philosophical Introduction* (Cambridge, UK: Polity Press, 2015), 72.

<sup>21</sup> Stellan Vinthagen, *A Theory of Nonviolent Action: How Civil Resistance Works* (London: Zed Books, 2015), 31.

<sup>22</sup> Gene Sharp, *Gandhi as a Political Strategist: With Essays on Ethics and Politics* (Boston, MA: Extending Horizons Books, 1979), 65, 81.

<sup>23</sup> Martin Luther King, Jr, *Stride toward Freedom: The Montgomery Story* (New York: Harper & Row, 1958), 102-

saw nonviolent tension which sought to create a crisis that a community would be forced to confront as essential for social change.<sup>24</sup>

What is Nonviolence?

What therefore is nonviolence? Attack defines it as “collective action outside the formal institutions or procedures of the state that avoids the systematic or deliberate use of violence or armed force to achieve its political or social objectives”.<sup>25</sup> All types of nonviolence have several common features: they are active, rather than passive; they, at least in part, step outside the formal institutions of the state to seek change (while possibly seeking change from those institutions); and they avoid not only direct violence, but structural and cultural violence. Nonviolence is not the same thing as pacifism, which is a moral or ideological stance on the use of violence. Nonviolence is a method of fighting oppression and injustice.<sup>26</sup> It may be undertaken with pacifist aims (such as opposition to military action) but many nonviolent campaigns do not seek to end direct violence as a goal. It is also not necessarily the same thing as civil disobedience, though it is often used as a synonym. Civil disobedience is action that breaks the law, which may be part of nonviolent action, but which is not required to be nonviolent.

Nonviolence may be reformist, seeking to get the state or other power to agree to change a law, policy, or action, in which case it relies on state power to work. Alternatively it may be revolutionary or transformative, and seek to change the nature of the state via overthrow or substantial change in structure.<sup>27</sup> Its action may directly attack an opponent’s power, such as through strikes and mutinies, or indirectly, via supporters of the opponent.<sup>28</sup> Last, it may be pragmatic in nature, concerned primarily with winning through the most effective means, or principled, and more concerned about the means of struggle.

Pragmatic Nonviolence

I will now turn to look more closely at pragmatic nonviolence. Sharp’s theories approach nonviolence not from a pacifist or moral perspective, but strategically, as a technique rather

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<sup>24</sup> Martin Luther King, Jr., “Letter from a Birmingham Jail,” [https://web.cn.edu/kwheeler/documents/Letter\\_Birmingham\\_Jail.pdf](https://web.cn.edu/kwheeler/documents/Letter_Birmingham_Jail.pdf)

<sup>25</sup> Iain Attack, *Nonviolence in Political Theory* (Edinburgh: Edinburgh University Press, 2012), 8.

<sup>26</sup> Nepstad, *Nonviolent Struggle*, 2.

<sup>27</sup> Robert J. Burrowes, *The Strategy of Nonviolent Defense: A Gandhian Approach* (Albany, NY: State University of New York, 1996), 99.

<sup>28</sup> Gene Sharp, *The Politics of Nonviolent Action. Part Three: The Dynamics of Nonviolent Action* (Boston, MA: Extending Horizons Books, 1973), 452-53.

than a belief system.<sup>29</sup> Pragmatic nonviolent conflict did not start from a premise that resolution of differences is the highest goal, but instead that valid social objectives must be actively pursued. It is therefore primarily a technique about the prosecution rather than resolution of conflict.<sup>30</sup> Sharp saw nonviolence not as a substitute for verbal persuasion, but rather an alternative to political violence.<sup>31</sup>

Sharp believed that power does not, as was commonly accepted, come from violence.<sup>32</sup> In this he agreed with Arendt, who argued that power and violence were distinct, but held to be the same because they have the same function of ruling over people.<sup>33</sup> According to Sharp, power, instead of being monolithic and intrinsic to political elites, is pluralistic, social in nature, and reliant upon consent of the governed. Obedience is therefore a form of cooperation with elites, as it involves an active choice of consent.<sup>34</sup> This consent theory of power is key to Sharp's argument – power comes from the obedience and cooperation given by subjects or citizens, but this, despite inducements, pressures, sanctions, remains essentially voluntary. Because all political power is based upon consent, that power is fragile.<sup>35</sup> Consent could be withdrawn from the ruling elite by either the general population, or institutional pillars of support that the elite relied on to govern.<sup>36</sup> Sharp's sources of power were therefore authority, human resources, skills and knowledge 'intangible factors' (cultural, ideological), material resources, and sanctions, rather than violence.<sup>37</sup>

Sharp put a great deal of emphasis on strategic planning, in particular identifying sources of power, and the pillars of support of the opponent. These pillars, often institutions, were the supporting structures that directly held up the opponent, such as military, police, media, corporate and political elites, and industry. A successful nonviolent campaign would undermine these pillars of support, either making them weak and crumble, or causing them to switch sides, ending their support for the opponent.<sup>38</sup> The planning process gave the resisters the ability to assess the strengths and weaknesses of the opponent and attack weaker pillars of support - like social institutions such as churches and unions - that had concerns about rulers. It also allowed

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<sup>29</sup> Maia Carter Hallward and Julie M. Norman, "Understanding Nonviolence," in *Understanding Nonviolence: Contours and Contexts*, ed. Maia Carter Hallward and Julie M. Norman (Cambridge, UK: Polity Press, 2015), 20.

<sup>30</sup> Ackerman and Kruegler, *Strategic Nonviolent Conflict*, 5.

<sup>31</sup> Gene Sharp, *Social Power and Political Freedom* (Boston, MA: Extending Horizons Books, 1980), 127.

<sup>32</sup> Alan Leo, "Some Words Are More Powerful Than Guns," *Index on Censorship* 44, no. 3 (2015).

<sup>33</sup> Hannah Arendt, *On Violence* (New York: Harcourt, Brace & World, 1970), 43.

<sup>34</sup> Vinthagen, *A Theory of Nonviolent Action*, 40.

<sup>35</sup> Sharp, *The Politics of Nonviolent Action. Part One: Power and Struggle*, 28.

<sup>36</sup> Attack, *Nonviolence in Political Theory*, 106-09.

<sup>37</sup> Sharp, *The Politics of Nonviolent Action. Part One: Power and Struggle*, 11-12.

<sup>38</sup> Attack, *Nonviolence in Political Theory*, 114.

resisters to assess their own strengths and weaknesses and then choose methods which used their strengths – if there was widespread discontent in the population then a boycott or general strike might be successful. If concern was limited to a small group then a sit-in or vigil may be more appropriate.

The ability of a resister to sever an opponent from its sources of support is what Schock has termed its leverage.<sup>39</sup> In order for a campaign to be successful, there must not only be sources of power, but the campaign has to have the ability to break the links to those sources. Leverage is impacted by the social distance between the challenger and the opponent – where the social distance is short, through similar social class, gender, race, or through family, friendships, or other ties, there is an increased moral dependence by the opponent on the challenger. Where the social distance is long, in the absence of these relationships, the moral dependence is reduced, and the challenging group will struggle to influence the opponent.<sup>40</sup>

This consent theory of power has attracted the most criticism of Sharp's argument, so I will pause to consider some of these challenges to this fundamental base of pragmatic nonviolence theory. Sharp assumes that consent is given voluntarily. In this he has a simplistic understanding of consent, focusing entirely on individuals, ignoring the role of structural factors in society such as class, race, and gender. The practice of withdrawing consent is not simplistic for individuals suffering from structural oppression, and if the ability to withdraw consent is indicative of an individual's power, then some individuals are more empowered than others. Foucault has explored the more complex nature of power and consent in social institutions, particularly how individuals collaborate with their own oppression.<sup>41</sup> Burrowes argues that while much conflict in society is structurally generated, elites are motivated to point away from this explanation in order to protect their positions, creating a consciousness problem.<sup>42</sup> McGuinness argues from a feminist standpoint that the consent theory of power does not account for women's experience of power, particularly the way in which patriarchy limits the ability of women to consent in society.<sup>43</sup> An emphasis on consent as individualistic and voluntary obscures the complexity of political, social, and economic life.<sup>44</sup>

Further, consent theory assumes that elites require the consent of the governed to achieve their

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<sup>39</sup> Kurt Schock, *Civil Resistance Today* (Cambridge, UK: Polity Press, 2015), 167.

<sup>40</sup> Ibid., 170.

<sup>41</sup> Attack, *Nonviolence in Political Theory*, 146-49.

<sup>42</sup> Burrowes, *The Strategy of Nonviolent Defense*, 52.

<sup>43</sup> Kate McGuinness, "Gene Sharp's Theory of Power: A Feminist Critique of Consent," *Journal of Peace Research* 30, no. 1 (1993).

<sup>44</sup> Nepstad, *Nonviolent Struggle*, 167.

goals. This is not always the case, particularly when people are not the resource that is being controlled. Piven and Cloward note that opportunities for defiance are structured by the features of institutional life. People cannot defy institutions to which they have no access and to which they make no contribution.<sup>45</sup> Occupations of foreign territories often depend upon the local population in a limited way because it is the material resources of a territory that are sought. The failure of the Palestinian Intifada against Israeli occupation is an example of this – the consent of the Palestinian people was not needed by the Israeli military to occupy Palestinian territory, only the consent of Israelis and the military and political support of the United States of America.<sup>46</sup>

### Nonviolent Dynamic

How does consent theory lead to nonviolent strategy? There are several key components for which pragmatic nonviolent theorists argue. The first is that struggle against the opponent must take place on what McAdam and Tarrow term a ‘field of contention’.<sup>47</sup> That is, a space and using methods that make evident the asymmetry between the violence of the opponent, and the nonviolence of the challenger, while creating a dynamic of contention between the two sides in a struggle.<sup>48</sup> May notes that “[n]onviolence should not be seen as a way to struggle against a superior force with inferior means, but instead as a way to shift the ground of struggle so that superior military force becomes irrelevant or even a disadvantage”.<sup>49</sup> Sharp argues that it is this shift that enables the ‘people power’ of nonviolence to have strength against the violence of the opponent. Importantly, the dynamic should require a response from the opponent.<sup>50</sup> Sharp viewed the imposition of sanctions as a sign of a successful challenge by the nonviolent resistance, noting that if there were no sanctions applied, this indicated that the nonviolent strategy was either small or weak.<sup>51</sup>

The second is that Sharp classifies three methods of nonviolent action. Method one is nonviolent protest and persuasion. This is symbolic action to try and persuade an opponent around to a point of view, such as marches, rallies, vigils. Method two is non-cooperation. This

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<sup>45</sup> Frances Fox Piven and Richard A. Cloward, *Poor People's Movements: Why They Succeed, How They Fail* (New York: Pantheon Books, 1977), 23.

<sup>46</sup> Burrowes, *The Strategy of Nonviolent Defense*, 210-11.

<sup>47</sup> McAdam and Tarrow, "Nonviolence as Contentious Interaction," 153.

<sup>48</sup> Gene Sharp, *The Politics of Nonviolent Action. Part Two: The Methods of Nonviolent Action* (Boston, MA: Extending Horizons Books, 1973), 109-10.

<sup>49</sup> May, *Nonviolent Resistance*, 71.

<sup>50</sup> Popovic, Milivojevic, and Djinovic, *Nonviolent Struggle 50 Crucial Points*, 70.

<sup>51</sup> Gene Sharp, *Waging Nonviolent Struggle: 20th Century Practice and 21st Century Potential* (Boston, MA: Extending Horizons Books, 2005), 378.

is the withdrawal or withholding of social, economic, or political cooperation, such as strikes and boycotts. The last method is nonviolent intervention, which is direct action to prevent the opponent from completing some action, such as sit-ins, occupations, blockades, and parallel government.<sup>52</sup> Schock argues that nonviolent movements should engage in multiple channels (institutional and non-institutional), spaces (to limit the impact of repression and maximise the leverage potential), and use of all three categories of methods presented by Sharp (since methods of protest alone rarely work).<sup>53</sup>

The third component is four mechanisms of change which resolve the conflict in the favour of the nonviolent resisters. The first is conversion, where the opponent comes around to the point of view of the other side. For Gandhi this was the ideal, but Sharp considered this mechanism to be unlikely to occur. Second, accommodation, where, through negotiation and compromise, the opponent chooses to grant demands and adjust to a new situation without changing their viewpoint. Third, coercion, where the opponent, as a result of having their sources of power cut, is powerless to prevent change. And lastly disintegration, where the opponent collapses completely and effectively ceases to exist, leaving a power vacuum into which the nonviolent resister can create new structures of government.<sup>54</sup>

The fourth is a process where the power of the opponent is turned against them through nonviolent dynamics. Sharp envisaged resisters engaging in one or more of the methods of nonviolent action against the opponent. These methods would be carried out on a field of contention, where the nonviolent methods of the resister put the opponent at a disadvantage through their analysis of the sources of power of the opponent, their assessment of their own strengths, weaknesses, the methods chosen, and as a result of using the strength of people power rather than the power of violence.

In this situation nonviolent resistance forces a response from the opponent, either because the resisters have intervened to prevent a key component of government from working, or because they are losing popular support. That response will come in the form of sanctions. Examples of sanctions include control of communications and information, psychological pressures, confiscation, economic sanctions, bans and prohibitions, arrests and imprisonment, exceptional

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<sup>52</sup> *The Politics of Nonviolent Action. Part One: Power and Struggle*, 68-69.

<sup>53</sup> Kurt Schock, *Unarmed Insurrections: People Power Movements in Nondemocracies* (Minneapolis, MN: University of Minnesota Press, 2005), 164-70.

<sup>54</sup> Sharp, *The Politics of Nonviolent Action. Part One: Power and Struggle*, 69. Sharp initially only listed the first three mechanisms of change. He added the fourth, disintegration, in 1997. See *How Nonviolent Struggle Works* (Boston: The Albert Einstein Institution, 2013), xi, 126.



restrictions (new laws, suspension of human rights, martial law), and direct physical violence.<sup>55</sup>

Key to the dynamic is the reaction of resisters to sanctions. Sharp states that:

Faced with repression, nonviolent actionists have only one acceptable response: to overcome they must persist in their action and refuse to submit or retreat... Without willingness to face repression as the price of struggle, the nonviolent action movement cannot hope to succeed.<sup>56</sup>

Sharp argued that what caused obedience in this context was not sanctions themselves, but fear of the sanctions. It was the threat that caused people to cease their nonviolent resistance, returning to a compliant state. A sanction itself could not force people to cease most forms of resistance.<sup>57</sup>

If resisters were to back down at this stage of the struggle, it would cause a loss of public support, and encourage the opponent to use sanctions when challenged in the future.<sup>58</sup> On the other hand, if the nonviolent resisters remained strong and continued their actions, this would lead to an increase in public support, loss of support for the opponent, an increased number of people joining the campaign, increased morale, and an awareness for the opponent that sanctions are not effective.<sup>59</sup> Most importantly, the actions have to remain nonviolent, often in the face of attempts by the opponent to push them to violence by agent provocateurs. This discipline or resilience is recognised by several researchers as key because it delegitimises the actions of the opponent, and gains credibility, support, and ultimately power for the resisters.<sup>60</sup>

This nonviolent discipline in the face of sanctions causes a backfire effect which Sharp termed 'political jiu jitsu'. Sharp describes the process as "...shifts in opinion and then shifts in power relationships favourable to the nonviolent group. These shifts result from withdrawal of support for the opponent and the grant of support to the nonviolent actionists".<sup>61</sup> This phenomenon is key to the success of Sharp's pragmatic nonviolence. It is the point at which the choice of nonviolence and the discipline to maintain it cause support to shift to the resisting group and

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<sup>55</sup> *Waging Nonviolent Struggle*, 380.

<sup>56</sup> *The Politics of Nonviolent Action. Part Three: The Dynamics of Nonviolent Action*, 547.

<sup>57</sup> Cumming, *How Nonviolence Works*, 26.

<sup>58</sup> *Ibid.*, 45-46.

<sup>59</sup> *Ibid.*, 48-49.

<sup>60</sup> Nepstad, *Nonviolent Struggle*, 119; Ackerman and Kruegler, *Strategic Nonviolent Conflict*, 43; Burrowes, *The Strategy of Nonviolent Defense*, 111; Hallward and Norman, "Understanding Nonviolence," 25; Schock, "The Practice and Study of Civil Resistance".

<sup>61</sup> Sharp, *The Politics of Nonviolent Action. Part Three: The Dynamics of Nonviolent Action*, 657.

the mechanisms of change begin to come into play. The opponent is forced into conversion, accommodation, coerced into making a change, or disintegrates altogether.

### Outcomes of Nonviolence

How does nonviolent theory perform in practice? Stephan and Chenoweth investigated 323 civil resistance campaigns from 1900-2006. They found that nonviolent campaigns were twice as likely to be successful than violent campaigns. They argued that this was because a commitment to nonviolence gave movements domestic and international legitimacy and increased participation in the movement, while violence against nonviolent movements tended to backfire.<sup>62</sup> Nonviolent movements in particular were six times as likely to succeed in the face of violent repression.<sup>63</sup> Loyalty shifts amongst security forces were particularly influential as a success factor.<sup>64</sup> Further, a broad movement base not reliant on a single leader made movements more difficult to repress.<sup>65</sup> Nepstad further researched some of these issues via case studies, confirming that security force defections were crucial for the success of a nonviolent movement.<sup>66</sup> But I note that these studies have all considered nonviolent movements seeking state-wide regime change, not the liberal-democratic policy change that the Waihopai campaign is seeking.

### Nonviolent Alternatives

What alternatives are there to this theory? The most significant alternative is Gandhian principled nonviolence. How would this differ from Sharpian pragmatic nonviolence? First, there would be an increased focus upon self-improvement, particularly the application of nonviolence in all areas of life.<sup>67</sup> Second, there would be a programme of constructive nonviolence – creating new, non-oppressing structures while seeking to tear down the oppressive ones.<sup>68</sup> Third, the mechanism of change would be focused upon conversion, with nonviolent action becoming a method of negotiation and the suffering of nonviolent resisters becoming a way of both sides reaching a common understanding of what change was needed.<sup>69</sup> Last, there would be an increased focus upon means, and applying principles to them, rather

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<sup>62</sup> Stephan and Chenoweth, "Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict," 8-9.

<sup>63</sup> Ibid., 20.

<sup>64</sup> Ibid., 21.

<sup>65</sup> Ibid., 41.

<sup>66</sup> Nepstad, *Nonviolent Revolutions*, 128-29.

<sup>67</sup> Sharp, *Gandhi as a Political Strategist*, 180-83.

<sup>68</sup> Vinthagen, *A Theory of Nonviolent Action*, 32.

<sup>69</sup> Burrowes, *The Strategy of Nonviolent Defense*, 107-08.

than having principled goals, but using any means to achieve them.<sup>70</sup>

Theorists have taken mixtures of Sharp's pragmatic nonviolence and Gandhi's more principled approach and tried to create a strategy that better suits their belief systems. Vinthagen put forward 'constructive resistance', involving nonviolent training and ways of life, including a constructive programme, dialogue facilitation to manage competing truths between opposing groups, principled enactment including care for the opponent and use of political jiu jitsu as a method, and power-breaking through symbolism, non-cooperation, humour, and the undermining of oppressive power relationships.<sup>71</sup> This understanding of nonviolence led to him participating in ploughshare actions and attempts to break the blockade of the Gaza Strip.<sup>72</sup> Shock calls for a recognition of principled and pragmatic nonviolence as a continuum rather than two distinct categories, as even primarily pragmatic campaigns will tend to incorporate elements, beliefs, and processes that are normally classified as principled.<sup>73</sup>

## Sabotage

The question of sabotage or property damage is one that raises considerable discussion in nonviolent theories, and is particularly relevant to the case study of this thesis. Sharp was clear in his classification of sabotage for political purposes. While it was not normally violent in nature, it did not fit within his theory of nonviolence. He argued that it would weaken a nonviolent movement through the use of secrecy rather than openness, limiting the participation of nonviolent resisters to a few, and move the field of contention from between human beings, to between human beings and physical objects. Consent was no longer being withdrawn to prevent the system working, sabotage sought to intervene in the system by damaging components of it instead.<sup>74</sup>

## Conclusion

I will now summarise this chapter into a checklist against which to compare the case study. First, for the campaign to be considered nonviolent it must be collective action, active rather than passive in nature, undertaken outside the formal institution of the state, and avoid the use of all types of violence. Second, for it to be assessed against Sharp's theories it must be

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<sup>70</sup> Kevin P. Clements, "Principled Nonviolence: An Imperative, Not an Optional Extra," *Asian Journal of Peacebuilding* 3, no. 1 (2015): 3.

<sup>71</sup> Vinthagen, *A Theory of Nonviolent Action*, 301.

<sup>72</sup> Priyanka Borpujari, "Meet Stellan Vinthagen, Head of the First University Program on Civil Resistance," <https://wagingnonviolence.org/feature/meet-stellan-vinthagen-head-first-university-program-civil-resistance/>.

<sup>73</sup> Schock, *Civil Resistance Today*, 184.

<sup>74</sup> Sharp, *The Politics of Nonviolent Action. Part Three: The Dynamics of Nonviolent Action*, 609-10.

pragmatic in nature, with a focus on end goals, seeking to win against the opponent primarily through accommodation or coercion rather than persuade them to change their minds through conversion. Third, the consent theory of power needs to be applicable. Given the criticism of Sharp in this area, that consent will need to be voluntarily given, rather than structurally imposed. There must be pillars of support for the opponent which could be removed through the protesters' powers of leverage.

Then what factors will I use to assess the campaign? The fourth item on the checklist is, was it contested on a field of contention which highlighted the asymmetry of the violence of the opponent and the nonviolence of the resisters, where people power has the greatest impact? The fifth and sixth are, which of the three methods of nonviolence (protest and persuasion, non-cooperation, nonviolent intervention) did it use and were these methods likely to engage any of the four mechanisms of change (conversion, accommodation, coercion, disintegration)? Seventh, did the nonviolent resistance force a response from the opponent, and eighth, how did the resistance react to that response. Ninth, did 'political jiu jitsu' take place where a nonviolent response to repression empowered the resisters. In light of principled nonviolence, our tenth item will be asking whether adopting this approach may have led to better outcomes. Last, the effectiveness of sabotage as part of a nonviolent campaign will be our eleventh topic.

These are the eleven points that I will ask of the Waihopai campaign in the next chapter.

# Chapter Two: Thirty Years of Protest against Waihopai Spy Base

On 2 December 1987, the New Zealand Prime Minister, David Lange, released a press statement announcing that a “defence satellite communication station” would be constructed in the Waihopai Valley near Blenheim, with construction to begin in 1988 and the station to become operational in 1989. The station would be wholly New Zealand-owned and controlled, and was a significant step in government policy to become more self-reliant in defence (New Zealand’s Nuclear Free policy had seen it dropped from the Australia, New Zealand, United States Security Treaty (ANZUS) alliance earlier that year).<sup>75</sup> Since that date, the station has been vigorously opposed by a small section of the New Zealand population. This chapter will outline the history and strategies of this campaign.

First, some information on the base and its activities will be presented, and then a background to the peace movement in New Zealand at that time. Then the campaign against the base will be outlined, starting with protests at the site. Then the broader campaign will be explored, including education, international links, research, the courts, and traditional political action.

What is Waihopai?

Waihopai spybase is a satellite spying station managed by the Government Communication Security Bureau (GCSB). Initially the station had one dish and could only track one satellite at a time. The addition of a second dish in 1998, and then further ‘torus’ dishes this century mean that the station can now track up to twenty satellites simultaneously. Waihopai’s sister station, Tangimoana, near Bulls in the North Island, is a maritime radio tracking station, particularly focused on military signals. By contrast, Waihopai tracks civilian satellites, intercepting phone calls, faxes, emails, and internet traffic.<sup>76</sup> It is part of a world-wide network of bases operating under the secret UKUSA agreement, with the United States of America, the United Kingdom, Canada, Australia, and New Zealand participating.<sup>77</sup>

There is considerable dispute in the differences between the official statements of the GCSB

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<sup>75</sup> David Lange, "Defence Satellite Communications Station," News Release, 1987.

<sup>76</sup> Nicky Hager, *Secret Power* (Nelson: Craig Potton Publishing, 1996), 166.

<sup>77</sup> *Ibid.*, 21-22.

and the government about what the station does with this capability, versus the claims of leaked documents, researchers, and protesters. The government line is:

New Zealand's signals intelligence collection facilities are managed and controlled by the GCSB alone and that access by New Zealand's intelligence partners to those facilities and to the intelligence material collected is at all times under the control and supervision of the GCSB.<sup>78</sup>

The government has always claimed that the station does not spy on New Zealanders, and that the information collected is used for New Zealand intelligence purposes rather than being controlled by foreign powers. Those opposed to the base claim that it collects and stores all communications, regardless of citizenship of the author, sifting through them for keywords, and storing metadata for later searches, and that the multi-country system is used to get around legal restrictions within state boundaries.<sup>79</sup> It is not within the scope of this thesis to try and analyse the reality of this debate. I do however note that over the past thirty years the government has admitted many of the claims made by protesters, while more are backed up by documents released by Edward Snowden, but denied by the New Zealand government.<sup>80</sup>

#### New Zealand Peace Movement

What was the status of the peace movement that sought to oppose this new base? The New Zealand peace movement had strong pacifist traditions going back to the time of World War One, and was increasingly empowered to challenge the practice of New Zealand blindly following American foreign policy, particularly since the Vietnam War was opposed by a nationwide protest movement.<sup>81</sup> Particularly significant by the mid-1980s was a strong anti-nuclear movement. This had origins in the groups Campaign for Nuclear Disarmament and the Women's International League for Peace and Freedom, along with an awareness of the horrors of Hiroshima and Nagasaki. By the 1970s, the peace movement was actively opposing nuclear

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<sup>78</sup> Bob Leonard, "Government Refuses to Abolish the Government Communications Security Bureau (GCSB)!!!!," *Peace Researcher* 19/20 (1999).

<sup>79</sup> June Gregg, "The Waihopai Spy Base - Eavesdropping for Big Brother," *NZ Environment* 61 (1989); Nicky Hager and Ryan Gallagher, "Snowden Files: Inside Waihopai's Domes," *Sunday Star Times*, Mar. 8 2015; Audrey Young, "Key: I'll Resign If GCSB Conducts Mass Surveillance," *New Zealand Herald*, Aug. 20 2013. One story by retired Canadian Communications Security Establishment spy Mike Frost illustrates how this may work within the UKUSA system. Frost alleges that in 1983 the Canadian spy agency was asked to do a favour for its UK counterpart, GCHQ. British Prime Minister Margaret Thatcher wanted to check on the loyalty of two cabinet ministers, but with deniability if they were caught that the UK government had had any role in the operation (Mike White, "Retired Spy Opens Window on Work," *Marlborough Express*, Jul. 16 1999).

<sup>80</sup> Snowden confirmed that he regularly came across material in his work from Waihopai (Ryan Gallagher and Nicky Hager, "New Zealand Spies on Neighbors in Secret 'Five Eyes' Global Surveillance," *Intercept*, Mar. 5 2015).

<sup>81</sup> Leadbeater, *Peace, Power & Politics*, 11.

ship visits to New Zealand, as well as nuclear testing in the Pacific. The divisive Springbok Tour in 1981 saw large scale civil disobedience across the country which served to radicalise many activists.<sup>82</sup>

A full range of campaigning tactics were used by the movement. Peace activists supported flotilla that opposed French nuclear testing at Mururoa from 1972-1995. The protesting boats and crew explicitly employed nonviolent techniques such as putting themselves inside the danger zone of radioactive fallout, and then resisting French marines taking over their vessel by cutting tow lines and by crew members throwing themselves into the water.<sup>83</sup> Local peace groups, coordinated by the Nuclear Free Zone Committee, and *Peacelink*, a national magazine, campaigned to turn local bodies and cities into nuclear free zones.<sup>84</sup> By 1986 72 percent of New Zealanders lived in 104 local body nuclear weapon free zones.<sup>85</sup> When the government invited American nuclear ships to New Zealand to maintain military links, land-based pickets and seafarers strikes were joined by a “Peace Squadron”, a diverse mixture of small boats that sought to block nuclear ships from accessing the harbours in Auckland and Wellington.<sup>86</sup> The Squadron’s policy statement outlined its explicitly nonviolent goals: “The Peace Squadron will absolutely refrain from violence at all times... We will support other groups in their non-violent actions to prevent the entry into New Zealand of nuclear weapons”.<sup>87</sup>

With the election of the Labour government under a nuclear free policy in 1984, significant pressure came upon Prime Minister David Lange from within New Zealand and internationally to not implement the policy in order to keep New Zealand in ANZUS.<sup>88</sup> The peace movement response was to attempt to bolster the government’s determination through lobbying, public education campaigns, and protests at military exercises. As the campaign broadened, diverse groups lent their support: the National Council of Women, unions, and professional peace bodies such as doctors, pharmacists, lawyers, physicists, artists and musicians.<sup>89</sup> An increased prominence of indigenous peoples and awareness of the impacts of nuclear testing upon the Pacific led to a focus on an independent and nuclear free Pacific, and New Zealand was a

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<sup>82</sup> Kevin Clements, *Back from the Brink: The Creation of a Nuclear-Free New Zealand* (Wellington: Allen & Unwin, 1988), 116.

<sup>83</sup> Michael Szabo, *Making Waves: The Greenpeace New Zealand Story* (Auckland: Reed Books, 1991).

<sup>84</sup> By the mid-1980s, Peace Movement Aotearoa, the national peace networking organisation, was coordinating a network of 300 peace groups across the country (Leadbeater, *Peace, Power & Politics*, 137).

<sup>85</sup> Clements, *Back from the Brink*, 115-16.

<sup>86</sup> Newnham, *Peace Squadron*.

<sup>87</sup> *Ibid.*, 20-21.

<sup>88</sup> Leadbeater, *Peace, Power & Politics*, 118-20.

<sup>89</sup> *Ibid.*, 121-25.

driving force behind the South Pacific Nuclear Free Zone Treaty in 1985.<sup>90</sup> The New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act passed in 1987, and by the early 1990s was accepted broadly across the political spectrum.<sup>91</sup>

In relation to foreign bases on New Zealand soil, there had been long-standing campaigns against several sites, starting during the Vietnam War at Mount John near Tekapo, Woodbourne and Black Birch near Blenheim, and Harewood and Weedons in Christchurch.<sup>92</sup> Following its discovery by peace researcher Owen Wilkes in 1984, Tangimoana, which opened in 1982, was added to this list.<sup>93</sup> These campaigns had largely been unsuccessful, but a proposal to build an Omega base (for submarine navigation) in Christchurch in 1968 was exposed by *CANTA* magazine, and large protests led to it being built in Australia instead. These were the first campaigns to link the presence of US military bases to concerns about New Zealand being a nuclear target, and many peace activists linked the campaign against foreign bases to New Zealand being nuclear free.<sup>94</sup> With most of these bases situated in the South Island, there was a strong core of activists based in Christchurch coordinating many of the campaigns against them, initially under the umbrella of Campaign Against Foreign Military Activities in New Zealand (formed in 1972), then renamed as Campaign against Foreign Control in New Zealand in 1975, with Aotearoa replacing New Zealand in the name from 1986. The Anti-Bases Campaign (ABC), which has driven much of the protest against Waihopai, was formed in 1987 from this group.<sup>95</sup>

It is from this context that the campaign against Waihopai spy base was launched. A strong peace movement, flush with success at making New Zealand nuclear free, driven by an increased foreign policy independence from traditional allies such as the United States, and experienced at testing out nonviolent strategies and tactics in a variety of contexts, including, without great success, foreign bases.

### Nonviolent Protest Against Waihopai

Planning for protest at Waihopai began shortly after the December 1987 announcement that it

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<sup>90</sup> "Our History as an Anti-Bases Campaign: From CAFMANZ to CAFCINZ to CAFCA (& Then to ABC)," *Foreign Control Watchdog* 135 (2014): 166.

<sup>91</sup> In March 1990 the National Party pledged to retain the nuclear-free legislation if elected that year (*Peace, Power & Politics*, 228-29).

<sup>92</sup> Toby Boraman, *Rabble Rousers and Merry Pranksters: A History of Anarchism in Aotearoa/New Zealand from the Mid-1950s to the Early 1980s* (Wellington: Katipo Books, 2008), 29.

<sup>93</sup> Leadbeater, *Peace, Power & Politics*, 103-05.

<sup>94</sup> Clements, *Back from the Brink*, 106.

<sup>95</sup> Leadbeater, "Our History as an Anti-Bases Campaign".



was to be built, and well before construction began. The base was discussed at the National Peace Workshops a fortnight after the announcement. Campaigners noted that:

Bases do not engender the strong feelings that warships invading our harbours do. This is part of the problem we face. The bases may be just as important as the ship visits but the issues are more complex and often technical. They don't involve nuclear weapons directly so people miss the connection between the bases and the insidious nuclear war-fighting strategies dominating the US global view.<sup>96</sup>

Despite these concerns they hoped that a broader campaign against foreign bases would generate the same support and momentum as the anti-nuclear issue had. Nicky Hager, at that time a researcher with Peace Movement Aotearoa, believed that the government only months earlier had been opposed to building a base, but had come under considerable pressure from its UKUSA intelligence partners. "The Government does not really believe in what it is doing. The base is not required for New Zealand's security. We must rapidly build up public opposition before it is built".<sup>97</sup>

The first protests on the site took place two months later in February, with over 150 protesters gathering. A large peace symbol the size of the intended satellite dish was painted on the ground in whitewash. A Wellington women's peace group called Limit called for the money set aside to build the base to be redirected towards building houses for homeless families, planting 366 cardboard houses on the site.<sup>98</sup>

With construction beginning in May of that year, protesters stepped up their activities. Five activists were arrested early on 2 May after chaining themselves to construction equipment. Spokesman Fergus Wheeler indicated that the nonviolent civil disobedience was nothing compared to the illegality of the base, stating that "We have no option but to increase the intensity of protest until public opinion makes it impossible for the Government to proceed".<sup>99</sup>

Two weeks later 150 demonstrators marched onto the site, decorating a security fence around the area under construction with banners. They then moved past the fence, carrying rocks from around the site to form a large 'NO' and covering over survey pegs. They returned to the site

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<sup>96</sup> "Anti-Bases Campaign Discussed at National Peace Workshop," *Peace Researcher* December (1987): 9.

<sup>97</sup> Christopher Moore, "Govt 'Pressured' into Spy Base Approval," *Press*, Apr. 15 1988.

<sup>98</sup> "Protest Rally at Proposed Satellite Post," *Dominion*, Feb. 22 1988.

<sup>99</sup> "Five Arrested after Protest at Waihopai," *Marlborough Express*, May 2 1988.

again later that weekend and played 'Anti-baseball'.<sup>100</sup>

Up until this point, protesters had gathered from across the country on weekends, camping not far from the construction site. However a group of women, inspired by the Greenham Common women's camp, which some of them had visited, formed a women's peace camp on the land of a sympathetic farmer nearby. The camp gave the protest movement a more permanent base, the opportunity to engage in protests during weekdays when contractors were working, and local residents were encouraged to come speak to the women about the base.<sup>101</sup> Initially planned for a week between protest weekends, the camp stayed on site for four months, and was only eventually shut down when the local council served them with a notice for lack of facilities.<sup>102</sup>

A report on a later women's camp provides an indication of what this women's-only action brought to the campaign: a focus on the education of each other, a redefinition of peace away from a narrow view of the absence of war to a consideration of the absence of patriarchal violence, and a recognition of indigenous views and struggles.<sup>103</sup> From 8-10 July a nonviolent action training weekend was held.<sup>104</sup>

The women engaged in women-only actions at the site. In that first week thirty protesters occupied the site, decorating it with flowers, streamers, and balloons, and three women secured themselves to machinery.<sup>105</sup> When contractors arrived they came into conflict with the protesters, and the women claimed that they used the machinery to intimidate them. May Bass was driven around the site when she refused to get off the roof of a digger. Three protesters were arrested.<sup>106</sup> This protest was supplemented by a march through Blenheim, and a public meeting.<sup>107</sup> The camp was briefly reinstated in December and seven women used a vehicle to drive through the gate, occupying the guard hut at the base for an hour. While inside they phoned the Prime Minister's office in an unsuccessful attempt to get him to answer questions about the base. All were arrested.<sup>108</sup>

A third national weekend of action took place in late August. By this time access to the site was secured by a security fence, and protesters distracted police and security at their rally at the

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<sup>100</sup> Pauline Swain, "Spy Base Protest Peaceful," *Dominion Sunday Times*, May 15 1988.

<sup>101</sup> "Women Camp at Waihopai," *Marlborough Express*, May 9 1988.

<sup>102</sup> June Gregg, "Waihopai Women's Camp Update," *Peacelink* 66 (1988).

<sup>103</sup> Billie-Jo Hunter, "Waihopai Women's Peace Camp," *Peace of Action* March (1994).

<sup>104</sup> "Calling All Women," Pamphlet from Waihopai Women's Camp (1988).

<sup>105</sup> "Three Women Arrested at Waihopai Protest," *Marlborough Express*, May 12 1988.

<sup>106</sup> Sonja Antonsen, "Thursday 12th May 1988," *Peacelink* 62 (1988).

<sup>107</sup> "Waihopai Base Protesters March through Blenheim," *Marlborough Express*, May 12 1988.

<sup>108</sup> "Women Invade Guard Hut at Waihopai Base," *Marlborough Express*, Dec. 6 1988.

front gate, while another group approached the base from the rear, cutting through the fence and occupying the site. Members of the rally then lifted the gate off its hinges to join the occupation.<sup>109</sup> The final national action of the year was in November. A first day of protest was low-key, with protesters having a picnic inside the base. The following day six protesters used ladders to scale the security fence at 4.30am and were arrested.<sup>110</sup>

There was also some property damaged in this early period to try and slow down construction of the base. At the end of May about 500 metres of low fencing was cut down, and in June power cables were dug up and cut.<sup>111</sup>

Not all actions took place locally. Limit replanted its houses on parliament's lawn, and then again in Auckland in support of a protest march.<sup>112</sup> On 16 March they presented a late tender for the base to the Wellington-based GCSB in the form of a giant envelope that opened into the shape of a house.<sup>113</sup> On 9 June a group of protesters dressed as spies occupied the lift foyer of the Freyberg building that housed the GCSB headquarters in Wellington, preventing the lifts working for an hour.<sup>114</sup> A fortnight later two students scaled the outside of the building in protest, while a banner reading "Stop Waihopai Spy Base" was unfurled from the top of the building opposite.<sup>115</sup> In July members of the women's camp crossed Cook Strait and held a two day vigil outside parliament, and five of the women stood up in parliament's gallery with the words "NO SPY" printed on t-shirts.<sup>116</sup>

At this early stage of the campaign, with construction going on at the base, and with the women's camp acting as a constant presence, the protest campaign had been relatively successful. Attention was being placed upon the GCSB, its secret nature, the legality of the decision by the government to build the base, the cost and the alternative uses to which the money could be put, and the civil rights of citizens and their right to privacy in their communications. Several peace groups across the country were supporting this work, both by attending central protests, but also working locally. Overall, the first year of the campaign had been relatively intensive, had engaged a significant proportion of the peace movement, and had achieved considerable media attention and public awareness, while failing to make any

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<sup>109</sup> "Gate-Crashers at Waihopai," *Marlborough Express*, Aug. 29 1988.

<sup>110</sup> "Protesters Climb Fence," *Dominion*, Nov. 28 1988.

<sup>111</sup> Fergus Wheeler, "Government Keeps Mouth Shut – Spy Base Proceeds," *Peace Researcher* 20 (1988).

<sup>112</sup> "Regional News," *Peacelink* 62 (1988).

<sup>113</sup> "Limit," *Peacelink* 62 (1988).

<sup>114</sup> "Satellite Base Protesters Stage Sit-in at Ministry," *Marlborough Express*, June 9 1988.

<sup>115</sup> "Waihopai Protest Climb Halted," *Marlborough Express*, June 23 1988.

<sup>116</sup> "Government Keeps Mouth Shut – Spy Base Proceeds".

significant changes to government decisions and the construction of the base.

As the campaign entered its second year, it began to be influenced by the increasing reality of the base. The first national protest of the year broke through security fences again, with activists claiming they had identified ten large containers on the site as containing the components of the satellite dish, made in Houston, Texas.<sup>117</sup> Protesters returned in May and, influenced by the discussions of Wellington activists who had plotted on the ferry over, invaded the base in the middle of the night, cutting holes in the security fence, spraying graffiti on the containers, and occupying the operations building. Protesters confirmed that the building contained American and British equipment.<sup>118</sup> The GCSB threatened to increase security at the base in response.<sup>119</sup> The next day protesters returned to the base without breaching the fence and read a people's declaration on Waihopai:

We the people of Aotearoa/New Zealand.

In a time of unprecedented unemployment and social disruption, declare the expenditure of untold millions of dollars on this Waihopai spy base establishment to be indefensible.

If the government persists in building this spy base we intend to make it indefensible.

In recognition of the citizens' rights to access to and control of this land for the benefit of all free peoples, we hereby declare this fence open.<sup>120</sup>

Wellington continued to be a focus. On 21 February five hundred women surrounded the Beehive on parliament grounds in a 'Waihopai hug', to protest against government expenditure on the base and new frigates.<sup>121</sup> However activities in other centres began to die down.

The next protest, in August, was the first at which the satellite dish and covering radome (this is the 'golf ball' like cover) were up, and protesters decided "as the NZ people had been fed concentrated bullshit about Waihopai" that they would throw cow dung in a 'bulls-hitting' competition at both the radome and security cameras.<sup>122</sup> Warren Thomson of the ABC,

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<sup>117</sup> "Waihopai and Black Birch Protest Targets," *Marlborough Express*, Feb. 27 1989.

<sup>118</sup> "Nine Arrested after Raid on Waihopai Base," *Marlborough Express*, May 8 1989.

<sup>119</sup> "Security Reassessed at Waihopai after Raid," *Marlborough Express*, May 9 1989.

<sup>120</sup> Bob Leonard, "Waihopai Occupied, Declared Open to the People," *Peace Researcher* 23 (1989).

<sup>121</sup> "Waihopai Hug' Embraces the Beehive," *Dominion*, Feb. 21 1989.

<sup>122</sup> "Waihopai – Who Flung Dung?," *Peace Researcher* 24 (1989).

reporting on the event, noted that:

The base is by no means invulnerable, but maybe it is time to look harder at wider lobbying, to better inform an ignorant population of the puffball cancer that has been secretly grafted onto the Waihopai plain. As well as more action, of course – the weekend was too much fun to persuade anyone to give up direct action.<sup>123</sup>

This is the first acknowledgement of the increasing difficulty of engaging in direct action against a spy base with high levels of physical and legal security.

The last significant protest for the year took place in November. By this time the base had been officially opened to the Prime Minister. Unable to get into the base, there was consternation about what to do next and how to coordinate a successful national campaign against the base,<sup>124</sup> and this debate was to affect strategies over the coming years.

In 1990 there was only one significant protest at the base, in May. Around fifty protesters blockaded two of the gates to the facility, seeking to prevent a shift change. However GCSB staff were able to eventually enter with police assistance and the use of a neighbouring farm gate. Protesters also sought to camp and light fires on the base property, and 38 were physically removed that evening by police, but not arrested.<sup>125</sup>

Direct actions at Waihopai during these first three years were normally accompanied by a rally or march in Blenheim, and often a public information evening. While there was some local opposition to the base, there is little indication of this becoming widespread. Activists attending the protest were more likely to be from other centres, and the local newspaper, the *Marlborough Express*, editorialised several times over this period recognising the right to protest, but generally expressing support for the base and its construction.<sup>126</sup>

The following years were difficult for the campaign. A change of government to the National Party in 1990 saw no change in policy on the base, its activities, or the secrecy around it. A January 1991 protest sought to draw links between Waihopai and the recently begun Gulf War, with two protesters arrested. A protest in November 1992 attracted only 30 participants, and was the first to engage in no direct action at the base, with a symbolic protest and information

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<sup>123</sup> Warren Thomson, "Dung Flung on Dome: Waihopai Again," *Peacelink* 75 (1989).

<sup>124</sup> Robert Buxton, "Waihopai Base," *ibid.* 78.

<sup>125</sup> Stephen A. Blyth, "Waihopai Protest May 1990," *ibid.* 83 (1990).

<sup>126</sup> "Waihopai Project," *Marlborough Express*, Feb. 22 1988; "Protest at Waihopai," *Marlborough Express*, May 13 1988.

session conducted at the gate.<sup>127</sup> 1993 saw no significant action at the base at all, and in 1994 the women's camp was revived for a week in the buildup to a weekend of protest, at which nine people were arrested, two for cutting through fences, and seven for breach of the peace. Some protesters danced naked outside the base with 'Uncover the Spybase' painted on their chests.<sup>128</sup> A letter to the base director was also delivered, outlining objections to the base, explicitly referencing a broad understanding of nonviolence, incorporating environmental sustainability, social services, self-determination, community, healing, love and understanding.<sup>129</sup>

A report by Jo Buchanan on this 1994 protest outlines some of the complications that protesters faced internally. The weekend began with a meeting, debating firstly whether the group present could decide for those still to arrive what would be undertaken, or whether nonviolent actions had to be collectively decided. Once a plan was agreed on, protesters allocated themselves to three groups – a diversion group, and two groups who would try to enter the base. Within each group protesters had to further divide themselves depending on whether they were willing to get arrested, or under what conditions they would be happy to be arrested. The appearance of a suspicious looking protester at the last minute led to debates about whether he might be an undercover cop.<sup>130</sup> Once the groups split, the presence of 'Ralph', a well-known police officer who rode his horse at protests, caused further complications. Although the group was able to cut through the fence, as soon as they entered the base they were arrested so quickly that someone suggested that they might as well back the paddy wagon up to the fence so that people could climb straight in. Later that night an evaluation meeting assessed the process of the previous twenty-four hours, but without any useful resolution that could be carried forward.<sup>131</sup>

Despite these complications, the 1994 protest was noted to be the most successful in some years. A resurgence of youth involvement, and the involvement of McGillicuddy Serious Party activists were indications of the revival of interest in Waihopai.

The activities of the Christchurch-based ABC, now sole driver for the campaign, fell into a regular rhythm. For each year from 1994 until 2018 there would be a late January protest, with the exceptions of 1998, 1999, 2002, 2005, and 2009. For the rest of the 1990s these would take

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<sup>127</sup> Bob Leonard, "Waihopai Visited in November," *Peace Researcher* 34 (1991).

<sup>128</sup> Brian Sloan, "Nine Arrested at Waihopai," *Marlborough Express*, Jan. 31 1994.

<sup>129</sup> Protesters, Jan. 29 1994.

<sup>130</sup> While this paranoia is common among activists, the New Zealand police have sought to infiltrate New Zealand activist groups. In 2009 activist Rochelle Rees discovered that her partner of the past two years, Rob Gilchrist, had spent the previous ten years infiltrating various groups, being paid \$600/week by the police to do so. See "The Activist Who Turned Police Informer," *Sunday Star Times*, Apr. 25 2009.

<sup>131</sup> Jo Buchanan, "Waihopai 1994," *Peace of Action* March (1984).

on a symbolic struggle as protesters largely engaged in conflict with police rather than with the GCSB or government.

In 1995, after one protester was arrested for dashing through the gate, protesters claim that they were leaving when police arrested one of activists appointed as a police liaison. The protesters met at their camp and agreed that a small group would return to raise this breach of protocol with police. Two female activists, who felt that the police belittled their gender and threatened them at that subsequent meeting, volunteered to be arrested, which the police subsequently did. Nonviolence trainer Alan Cumming was outraged by this breach of police procedure, and returned to the base for a third time, delivering a letter of complaint to police.<sup>132</sup>

The protests in 1996 and 1997 were focused around protesters seeking to reclaim their right to walk up to the main gate of the base, over Ministry of Defence property, as they had done for almost a decade, and against police restricting their activities to the farm gate on the road side. In 1996 six were arrested for attempting to approach the base.<sup>133</sup> In 1997 twenty protesters were arrested for trespass, the largest number of any protest in the campaign.<sup>134</sup>

1997 was the last time that the campaign encouraged civil disobedience and mass arrests. In November 1998 the ABC held a national strategy meeting to consider political lobbying vs protest actions. In part, it was a recognition of the ongoing failure of their direct actions. Bob Leonard noted that "The Anti-Bases Campaign has yet to come up with a foolproof plan for an annual demonstration that will close Waihopai for good. So we usually make our pilgrimage to the base in order to protest, a negative activity by definition".<sup>135</sup> Murray Horton explained (in 2006) that "In the years of mass arrests and confrontations out at the base, we tended to ignore Blenheim, and generated hostility as a result. Now our relationship with the local people and media is very positive".<sup>136</sup>

For the next decade the annual protests would follow a familiar theme. A rally and/or march in town, with speakers and often a sausage sizzle to encourage the locals to talk to the activists would be followed by a visit to the base for more speeches, and often theatre for the media. A common tactic was activist Bob Leonard dressed as 'Uncle Sam' issuing passports for the 'Undemocratic Republic of UKUSA' as people neared the base. There were also best dressed

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<sup>132</sup> Melanie Thomson, "Why Spy Waihopai?," *Peace Researcher* 4 (1995).

<sup>133</sup> Frank Nelson, "Six Arrests as Protesters Press Base Security," *Marlborough Express*, Jan. 29 1996.

<sup>134</sup> Mike White, "QC to Defend Protesters," *ibid.*, Jan. 20 1997.

<sup>135</sup> Bob Leonard, "Waihopai Protest 2001 – a Celebration?," *Peace Researcher* 23 (2001).

<sup>136</sup> Murray Horton, "Waihopai 2006: Longrunning Campaign Gets Second Wind," *ibid.* 32 (2006): 2. This relationship would subsequently be affected by the Domebusters action in 2008.

spy competitions, spies picnics, and the use of large paper mache puppets of American and New Zealand political leaders.<sup>137</sup> Interestingly, the removal of civil disobedience from the toolbox led to the GCSB agreeing that protesters could again approach and protest outside the main gate, rather than on the main road. This change of tactics was not without opposition. In 2007 Steffan Browning called for a return to direct action citing the ineffectiveness of the educational approach.<sup>138</sup>

Shortly after this change of tactics came a change in emphasis. Previously the civil liberties of people in New Zealand and the Pacific and their right not to be spied on had been emphasised. With the election of George W. Bush as President of the United States, the terrorist incident on 9/11, and the Afghanistan and Iraq wars, the protests became more explicitly anti-war, particularly the role of the base in collecting intelligence for coalition military forces and how it tied New Zealand into military alliances that New Zealanders believed were no longer active.<sup>139</sup> The 2003 protest, which occurred in the buildup to the invasion of Iraq, drew over 200 attendees.<sup>140</sup>

Changes in tactics, focus, and international events however did not change the number of locals attending. In 2006 though over a hundred attended the annual protest, the low number from Blenheim was described by organisers as 'woeful'.<sup>141</sup> In 2006 the *Press* concluded that the station was regarded by the locals as more of an "oddball landmark than any serious threat to personal rights".<sup>142</sup>

On 30 April 2008, the campaign witnessed its most significant event, and most decisive action. Members of the Catholic Workers, who had attended the January 2008 protest as an opportunity to 'scope out' the base and its security, returned to perform a ploughshares action. Ploughshares actions were started in 1980 by American Catholic anti-war activists Daniel and Philip Berrigan, and are religious and nonviolent actions, often involving blood and normally a physical action to disable weapons. A key component of the philosophy is remaining at the site of the action and facing legal consequences.<sup>143</sup>

All three members (Peter Murnane, Adrian Leason, and Sam Land) of 'The Domebusters', as

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<sup>137</sup> Ibid.

<sup>138</sup> Sophie Preece, "Spybase Protester Feels Stronger Action Needed," *Marlborough Express*, Jan. 22 2007.

<sup>139</sup> Horton, "Waihopai 2006".

<sup>140</sup> Tony Skinner, "US War Plans Stir Protesters," *Marlborough Express*, Jan. 27 2003.

<sup>141</sup> Dan Hutchinson, "'Woeful' Turnout in Base Protest," *Press*, Jan. 23 2006.

<sup>142</sup> "Spybase Divides Locals," *Press*, Jan. 31 2009. This 2009 article is a reprint.

<sup>143</sup> Glynn Cardy, "Why Christians Are Troublemakers," *Ekklesia*, <http://www.ekklesia.co.uk/node/7086>.



they came to be called, later testified that they were struck by the ineffectiveness of the last twenty years of ABC protests, and “how this had convinced them that they had [to] go further than protest, they had to take non-violent direct action”.<sup>144</sup> Their spokesperson, Manu Caddie commented that “Sometimes direct action can draw attention to the issue in ways the annual ABC get together might not. Hopefully it will stir up action about the issue”.<sup>145</sup>

They originally intended to use a truck and hoist to lift themselves over the various fences securing the facility, however this plan was thwarted when they drove the vehicle into a ditch. They then proceeded by foot, using tools to cut through the three layers of fences, and then sickles to cut through the radome that covered the satellite. They then prayed until they were arrested. While held in police cells, two began a fast which finished only when they were released five days later.<sup>146</sup>

Murnane explained the motivation for their actions. They saw accepting the government explanation that Waihopai was making the world a better place as naïve. “We had publicly questioned the deceptions and pretence of those who claim to protect us, but by their violence are making it even harder to achieve a peaceful world”.<sup>147</sup> Leason explained that their research had connected the activities in the Waihopai base to the system that was engaging in war in Iraq, and that shutting down this component of that system might stop a piece of intelligence being used to kill Iraqis. Land was motivated by a picture of an Iraqi holding a child killed in a coalition air strike.<sup>148</sup> All three made explicit reference in public and court statements to their actions and philosophy as nonviolent.

The response to the action was polarising. Prime Minister Helen Clark called it “senseless vandalism”. GCSB Director Bruce Ferguson said that the Bureau was “embarrassed”.<sup>149</sup> Blue Derry, the farmer whose land they had crossed to access the site condemned their action, as did many locals.<sup>150</sup> Letters to the *Marlborough Express* over the following week were largely in opposition to the action and called for the activists to pay for the damage, and this disapproval was repeated following their trial in 2010, and the ABC protests in 2011 and 2012. The ABC,

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<sup>144</sup> Murray Horton, “Vindicated! Waihopai Domebusters Acquitted of All Charges,” *Peace Researcher* 40 (2010): 5.

<sup>145</sup> “Spy Base Attacked,” *Marlborough Express*, Apr. 30 2008.

<sup>146</sup> Anna Chalmers, “Waihopai Accused Start Fast in Cells,” *Dominion Post*, May 2 2008.

<sup>147</sup> Peter Murnane, *Just. Peace*. (Wellington, NZ: The Social Justice Commission of the Anglican Church in Aotearoa, New Zealand and Polynesia, 2010), 14.

<sup>148</sup> Errol Wright and Abi King-Jones, *The 5th Eye* (2016).

<sup>149</sup> Cherie Howie and NZPA, “Repairs to Satellite Cover Estimated at More Than \$1m,” *Marlborough Express*, May 1 2008.

<sup>150</sup> “Spy Base Invites Locals for a Cuppa,” *ibid*.

which had no prior knowledge of the action, called it a “brilliant and courageous action”.<sup>151</sup> Peace Action Wellington, a group following nonviolent protest methods in the capital, organised a march in support, popping white balloons.<sup>152</sup>

The action not only put the dish out of action for a short period, but also exposed the hidden dish to observation. Measurements made in 2009 determined that it was pointing at Japanese, Chinese, Russian and Vietnamese satellites which provided phone, data, internet and television connections.<sup>153</sup>

While the ploughshares action generated significant debate across New Zealand, it did not lead to an increased number of protesters at the following annual events. In 2010 only about twenty attended, and a local staged a counter-protest.<sup>154</sup> In 2011 Peter Murnane returned for a protest of forty people, and four counter-protesters handed him a bill for \$1.1 million on behalf of New Zealand’s ‘silent majority’.<sup>155</sup> Steffan Browning commented that the Domebusters action had caused a backlash against protesters in Blenheim who heckled them when they marched through town and were less likely to take protest literature.<sup>156</sup> By 2012 fifty protesters attending was enough for the *Marlborough Express* to claim that there was ‘new blood’, inspired by previous protests.<sup>157</sup> In 2013 the protest was again small, but protesters for the first time in five years attempted to cross Ministry of Defence property to present a letter to the GCSB at the gate. The letter called for the government to release the names of people illegally spied on by the GCSB.<sup>158</sup>

By 2014 however, recent protests against changes to the laws governing the GCSB saw an increase in attendance at the protest, with over seventy present.<sup>159</sup> Similar numbers attended in 2015, 2016, and 2017 with no significant civil disobedience occurring.

The history of protest at the base passed through three distinct phases. The initial phase covered the period of construction and first year of operation, when there were frequent protests, occupations of the site, and damage to the base to either slow construction or gain access for the purpose of occupation. The women’s camp added a unique element to part of this period,

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<sup>151</sup> “Hunger Strike Threat,” *ibid.*

<sup>152</sup> “Support Rally for Waihopai Activists,” *New Zealand Herald*, May 4 2008.

<sup>153</sup> Nicky Hager, “Spies on the Ground Beat Ears in the Sky,” *Sunday Star Times*, Jan. 24 2010.

<sup>154</sup> Rachel Young, “Waihopai Protest Challenged,” *Marlborough Express*, Jan. 25 2010.

<sup>155</sup> Blair Ensor, “Dome Slasher Handed \$1.1m ‘Bill’,” *ibid.*, Jan. 24 2011.

<sup>156</sup> “Less Support for Annual Anti-Base Protest,” *Marlborough Express*, Jan. 24 2011.

<sup>157</sup> Simon Wong, “New Blood in Spy Base Protest,” *ibid.*, Jan. 23 2012.

<sup>158</sup> Robin Raymond, “Clash at Spy Base Protest,” *ibid.*, Jan. 21 2013.

<sup>159</sup> Sven Herselman, “Protesters Spurred on by Spy Revelations,” *ibid.*, Jan. 27 2014.

providing both a constant presence and a different challenge to the militancy of the base. These were complemented with protests at other parts of the country, particularly in Wellington, where parliament provided a focus.

The second phase began in 1990, and carried through until 1997. During this phase, the physical nature of the base provided a challenge to protesters that they struggled to overcome with nonviolence. Protests focused on access to the main gate of the base and confrontations with police, rather than the base itself. Protests in other locations ceased during this phase.

The third phase began in 1998, and has run for the past two decades. Protests have adopted a more educational and persuasive tone, there is very little nonviolent direct action. Keeping the local population educated about the base and onside with the protesters is a major focus. The aberration in this phase is the 2008 Domebusters attack on the base, which adopted a nonviolent ploughshares philosophy and used secrecy and property destruction to directly attack the institution. This was very polarising and unpopular in much of the community, but achieved significant publicity for the campaign.

While protest was a significant part of the campaign, it was supported by a number of other activities, to which I will now turn.

## Education

In the initial stages of the campaign, peace groups nationwide sought to inform the public in their area through such activities as stalls, talks, and video evenings. The local education campaigns were supported by a caravan in which Jim Chapple toured the country from August 1988. He spent four days at the Labour Party national conference in Dunedin talking to delegates and Members of Parliament. Over seven months the caravan visited 72 towns or cities, with 47 school visits, 26 evening meetings, 31 radio interviews, 46 newspaper reports, 56 street days with display boards set up, and 11,000 leaflets distributed.<sup>160</sup> As activity outside of Blenheim fell away after the first few years, the ABC sought to keep knowledge of the base alive. In 1998 Warren Thomson spent several weeks travelling around the country and giving talks. This was repeated by Murray Horton in 2014. A passive display was also made available for local exhibitions at public meetings, libraries, and stalls.<sup>161</sup>

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<sup>160</sup> Jim Chapple, "Completion of the Waihopai Caravan's National Tour," *Peacelink* 71 (1989).

<sup>161</sup> Murray Horton, "National Speaking Tour Pamphlet," in *Peace Researcher*, ed. Anti-Bases Campaign (Christchurch: Anti-Bases Campaign, 1998).

## International Links

Throughout the last thirty years the ABC has sought to build links and share information with the international anti-bases community. The ABC has close links with the Australian Anti-Bases Campaign Coalition, with New Zealand activists attending their protests, and vice-versa. An announcement that Australian Midnight Oil singer and future Green Senator Peter Garrett would visit the site to join the February 1988 protest proved to be premature – Garrett had not coordinated his plans with the requirements of the band's tour.<sup>162</sup> In 1989 Australian senator Jo Vallentine visited the base, stating that she felt that the base would damage New Zealand's reputation in the Pacific.<sup>163</sup> Much of 1990 was spent preparing for a 'Touching the Bases' tour, which took in Tangimoana, 'secret' Wellington, Waihopai, Black Birch, and Harewood in Christchurch. The tour was an attempt to build international links, both with peace activists in other countries with similar bases, and with indigenous people for whom military bases represented another step in the colonial process. Representatives from around New Zealand and the Philippines, Papua New Guinea, Fiji, Australia, and America attended the week long tour.<sup>164</sup> The January 1994 protest was timed to coincide with a women's peace camp and blockade at Menwith Hill spy base in the UK.<sup>165</sup> In 2005, a group of peace activists from Kobe, Japan were guided to the base by Christchurch activists<sup>166</sup> and in 2008 Filipino peace activist Cora Fabros toured New Zealand and visited Waihopai.<sup>167</sup>

International experts were also used to talk about the echelon system. British investigative journalist Duncan Campbell spent time in New Zealand in 1997<sup>168</sup> and former Canadian signals intelligence officer Mike Frost in 2001.<sup>169</sup>

## Research

Research was a significant part of the campaign. The secret nature of the Waihopai base meant that information was not readily available to protesters. Early research was done by peace researcher Owen Wilkes, who provided much of the initial analysis of the nature of the base and its likely activity and satellite targets. The campaign got a significant boost in August 1996

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<sup>162</sup> Nigel Malthus, "Garrett Too Busy for Protest," *Press*, Feb. 22 1988.

<sup>163</sup> "Reputation 'Damaged' by Station," *Nelson Evening Mail*, Jan. 6 1989.

<sup>164</sup> "Linking, Learning and Levitation: A Report on the Anti-Bases Campaign Touching the Bases Tour," *Peace Researcher* 28 (1990).

<sup>165</sup> Anti-Bases Campaign, "Protest at Waihopai, N.Z. Pamphlet," (Christchurch: Anti-Bases Campaign, 1993).

<sup>166</sup> Bob Leonard, "Japanese Delegation Visits Harewood and Waihopai with ABC," *Peace Researcher* 32 (2006).

<sup>167</sup> Claire Connell, "Anti-Base Filipino Activist to Visit Blenheim," *Marlborough Express*, Jun. 23 2008.

<sup>168</sup> Mike White, "Intelligence Too Secret, Says Journalist," *ibid.*, Jan. 23 1997.

<sup>169</sup> Bob Leonard, "Mike Frost: New Zealand Speaking Tour: 14 – 30 October 2001," *Peace Researcher* 24 (2001).

when Nicky Hager released *Secret Power*. The book, based in part on internal GCSB documents and interviews with anonymous GCSB staff, attracted considerable attention within New Zealand and overseas. Media attention within New Zealand included current affairs show 20/20, where Hager and journalist John Campbell slipped into the base and filmed the operations room through gaps in the curtain.<sup>170</sup> Hager was invited to testify before the European Parliament's temporary committee on Echelon in 2001.<sup>171</sup> While the government response was again to refuse to respond, a lot of attention was paid to the foreword to Hager's book written by former Prime Minister David Lange:

But it was not until I read this book that I had any idea that we had been committed to an international integrated electronic network... an astonishing number of people have told him [Hager] things that I, as Prime Minister in charge of the intelligence services, was never told.<sup>172</sup>

In early 2006 a journalist found a top-secret GCSB report accidentally filed amongst Lange's papers at the National Archives. This led to the *Sunday Star Times* publishing a list of countries and organisations that were targeted by the GCSB, confirming the ongoing links that the GCSB had with US intelligence agencies, and showing that the US had threatened to spy on New Zealand because of its anti-nuclear stance.<sup>173</sup> This led to the unprecedented step of GCSB Director Warren Tucker releasing a statement which was reprinted in full in the media, denying that the organisation had ever kept Prime Ministers in the dark and arguing that the UKUSA agreement provided many positive benefits for New Zealand.<sup>174</sup>

In 2013 the NSA documents released by Edward Snowden compounded the pressure on the government. Detailing the nature and tools of the Five Eyes network, the documents presented Waihopai (called 'Ironsand' in the documents) as just one base in a borderless spying system, which 'collected it all, processed it all'. The documents indicated that countries would spy on each other's citizens to get around local laws, giving governments plausible deniability that they were not spying on their own citizens. Specific revelations were information about XKeyScore, which collected internet browsing, PRISM, which pulled user data from major software companies and internet service providers, and Speargun, which tapped undersea

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<sup>170</sup> "20/20," Oct. 7 (1996).

<sup>171</sup> Nicky Hager, "Surveillance and Privacy in the Snowden Era," *MEDIANZ* 14, no. 2 (2014): 16-17. The report of this body was released on 7 September 2001, and therefore lost in the aftermath of 9/11 four days later.

<sup>172</sup> David Lange, Foreword in Nicky Hager, *Secret Power*.

<sup>173</sup> Dan Eaton, "Archive Admits Spy Blunder," *Press*, Jan. 17 2006.

<sup>174</sup> Warren Tucker, "Good Reason for Bureau's Secrecy," *ibid.*, Jan. 31.

internet cables.<sup>175</sup> Hager's collaboration with *The Intercept* and local newspapers eventually brought the New Zealand involvement to light in 2015.<sup>176</sup> Gallagher and Hager argue that in 2009 Waihopai was upgraded to 'full take' collection, sweeping up communications indiscriminately, which are then accessible across the Five Eyes network.<sup>177</sup>

The Snowden revelations seemed to provide evidence for exactly what campaigners against Waihopai had been claiming it did all along. The government again refused to clarify what the base did as part of the Five Eyes network, but insisted that it acted legally.<sup>178</sup> Prime Minister John Key claimed that he had had a proposal put in front of him for Speargun in March 2013, and had decided not to go ahead because it was 'too broad'. However in 2017 *New Zealand Herald* journalist David Fisher revealed that the project had only been abandoned in 2014 after Key was briefed that details of the project were likely to become public.<sup>179</sup>

Research provided significant momentum for the campaign. Indeed often it was the only thing that was able to break through the government's deniability of the GCSB's activities. However an inability of the campaign to translate the impact of research to large numbers of participants in the campaign remained a problem. Much of the information was of great interest to the media, who pursued the government mercilessly, but did not have widespread impact amongst the New Zealand population.

### Legal Processes

Protesters also used the court processes to attempt to seek information from and prosecute the GCSB. For trespass charges to be pressed, the legal owner of the site had to appear and confirm that authority had been given to the police to remove protesters. This meant that GCSB officers were often the first people to testify in court hearings, and they would be asked about the use of information collected at the base and international links to foreign agencies. In 1989 the seven women arrested for occupying the guard hut used this tactic unsuccessfully.<sup>180</sup> In 1997 Peter Williams QC, representing twenty arrested protesters, sought to subpoena Glen Singleton, a National Security Agency employee working at the GCSB, but this was refused by the

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<sup>175</sup> Glenn Greenwald, *No Place to Hide: Edward Snowden, the NSA, and the U.S Surveillance State* (New York: Metropolitan Books, 2014).

<sup>176</sup> Hager and Gallagher, "Snowden Files".

<sup>177</sup> Gallagher and Hager, "New Zealand Spies on Neighbors in Secret "Five Eyes" Global Surveillance".

<sup>178</sup> "Spy Acts All Legal, Says Key," *Manawatu Standard*, Jul. 10 2015.

<sup>179</sup> David Fisher, "John Key, Mass Surveillance and What Really Happened When Edward Snowden Accused Him of Spying," *New Zealand Herald*, Nov. 28 2017.

<sup>180</sup> "Protesters Discharged," *Marlborough Express*, Apr. 7 1989.

judge.<sup>181</sup>

Arrested protesters and their legal representation often argued that they should not be convicted due to legal or higher moral reasons. In 1996 three protesters arrested for trespass presented a defence that the GCSB acted in contravention of the Bill of Rights and under the Trespass Act they were entitled to be at the base to protect themselves from breaches of the right to freedom from unwarranted search and seizure of communications. They were found guilty and dismissed without penalty.<sup>182</sup> In 1997 Williams argued that protesters should be discharged without conviction as they were motivated by humanitarian or altruistic motives. The judge warned him and witnesses, including MP Rod Donald, not to stray into political territory. All but one were convicted and discharged.<sup>183</sup>

It was the trial of the Domebusters that generated the greatest legal attention. The trial had been moved to Wellington to avoid a biased jury, partially due to the testimony of Murray Horton from the ABC which outlined a history of opposition in Blenheim to the ABC and anti-base protesters.<sup>184</sup> All three were charged with burglary and wilful damage. The defence's case was based on a 'claim of right' that they believed that they were protecting lives by damaging the base, and that this made their actions legal. The jury took two hours to return a not guilty verdict.<sup>185</sup> The verdict was received with disbelief nationwide, particularly in Blenheim where the *Marlborough Express* expressed the outrage that many locals felt: 'Anger over acquittal of activists'.<sup>186</sup>

The Crown then pursued the three in a civil case, seeking \$1.2 million in damages. Initially successful in both the High Court and the Appeal Court, the Crown eventually dropped the case in 2014, most likely because none of the three had sufficient assets to make the exercise anything more than a political action to save face.<sup>187</sup> The legal successes of the Domebusters provided possibly as much attention as their original action, but were also very unpopular.

## Politics

In the political space, the campaign can claim some successes. The role of parliament in oversight of the GCSB is, at least on paper, one of increased responsibility over the past thirty

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<sup>181</sup> "The Waihopai 20 Have Their Day in Court," *Peace Researcher* 13 (1997).

<sup>182</sup> Warren Thomson, "Waihopai Defendants Have Their Day of Grace," *ibid.* 9 (1996).

<sup>183</sup> Mike White, "Waihopai Protesters Convicted, Discharged," *Marlborough Express*, Apr. 22 1997.

<sup>184</sup> Horton, "Vindicated!," 4.

<sup>185</sup> "Crown to Mull Appeal against Waihopai 3," *Marlborough Express*, Mar. 19 2010.

<sup>186</sup> Michael Berry and Claire Connell, "Anger over Acquittal of Activists," *ibid.*, Mar. 18.

<sup>187</sup> Kirk Stacey, "Waihopai Three Off Legal Hook," *Press*, Feb. 6 2014.

years. The GCSB was created in 1977 under the Royal Prerogative without public or parliamentary knowledge.<sup>188</sup> The frustration of some parliamentarians with early GCSB secrecy was expressed by Labour MP Jim Sutton to the Coordinator of Domestic and Internal Security, Gerald Hensley, in a 1988 Finance and Expenditure Select Committee hearing:

Sutton: You're not going to tell us how much you're spending, how much you want us to approve; you're not telling us what it's spent on, you're not telling us who's spending it, but nevertheless you feel we should approve this expenditure?

Hensley: That's true.<sup>189</sup>

Until 2003 the GCSB had no enabling legislation, but oversight of their activities was increased through creation of the Intelligence and Security Committee of Parliament, and an Inspector-General of Intelligence and Security in 1996. Campaigners argue that neither institutions was fully aware of the activities of the GCSB, and functioned as a rubber stamp.<sup>190</sup>

Nelson MP John Blincoe took particular interest in the base and transparency of its operations in the early 1990s. In 1994 he wrote to the Director of the GCSB seeking a briefing on the base, unsuccessfully.<sup>191</sup> The 1997 protest was the first to have MPs present, with Alliance MP Rod Donald and Labour MP Marian Hobbs attending,<sup>192</sup> and in following years Green MPs Keith Locke and Green co-leaders Jeanette Fitzsimons and Metiria Turei also attended.<sup>193</sup> In 2003, for the first time, a Marlborough district councillor, John Craighead, spoke out against the base and attended the protest.<sup>194</sup>

Connections with MPs did assist the campaign in practical ways. In 2007 Green Party parliamentary researchers engaged through Keith Locke estimated the total cost of the GCSB over the twenty years since Waihopai was built at \$500 million.<sup>195</sup>

Lobbying activities have included two major petitions. The first, in 1988, sought to cease construction of the base and cease the transfer of New Zealand-sourced intelligence to foreign organisations. In 1998 a 1300 signature petition was presented at the base to Green MP Rod

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<sup>188</sup> Bob Leonard, "Spying for America," *Pacific Ecologist* 5 (2003): 14.

<sup>189</sup> Gregg, "The Waihopai Spy Base - Eavesdropping for Big Brother," 7.

<sup>190</sup> Leonard, "Spying for America," 15.

<sup>191</sup> "MP Seeks Briefing on Station," *Press*, Mar. 7 1994.

<sup>192</sup> "Spying on Who and for Whom?," *Marlborough Express*, Jan. 17 1997.

<sup>193</sup> Hutchinson, "'Woeful' Turnout in Base Protest".

<sup>194</sup> "Big Protest Predicted," *Marlborough Express*, Jan. 24 2003.

<sup>195</sup> Murray Horton, "Waihopai 2007: Counting the Costs of 20 Years of Spying," *Peace Researcher* 34 (2007).



Donald, requesting that both Waihopai and Tangimoana be closed.<sup>196</sup> Prime Minister Jenny Shipley rejected the petition when it was received at parliament, stating that the GCSB complied with the law and did not target telephone conversations between New Zealand citizens.<sup>197</sup> The campaign has also engaged in letter writing campaigns, targeting both Members of Parliament, and newspaper editors.

The government was forced to defend the GCSB after a January 2012 dawn raid which saw Kim Dotcom arrested as a result of United States indictments relating to copyright infringement and money-laundering. In the process of opposing his extradition, his legal team learnt that the GCSB had had a role in gathering evidence against him. This was illegal as New Zealand citizens and permanent residents were not able to be spied on, and Kim Dotcom was a resident. By 2013 an investigation by Cabinet Secretary Rebecca Kitteridge was leaked to *Fairfax Media*, concluding that 85 people may have been illegally spied on, and that the GCSB lacked oversight, quality record-keeping, and legal support.<sup>198</sup> The incident and the fallout was a tremendous boost for the campaign. Horton noted that “The problem that ABC has always had, in making an issue of the GCSB, is that it is a faceless agency... The GCSB has been dragged, blinking, into the spotlight and become a household name”.<sup>199</sup>

As a result the government amended legislation governing the GCSB – the GCSB Act and the Telecommunications (Interception Capability and Security) Act 2013 – to ‘clarify’ when the organisation could spy upon New Zealanders. The new law would allow this to occur under a warrant to assist the Secret Intelligence Service or the police. Prime Minister John Key argued that the law change was essential to keep New Zealanders safe from terrorism: “Others may play politics with the security and lives of New Zealanders, but I cannot and I do not and I will not.”<sup>200</sup> The law change attracted considerable protest and debate, with large rallies held nationwide.<sup>201</sup>

## Conclusion

For thirty years now, with decreased intensity, a campaign has been sustained against Waihopai spy base. Using a diverse range of tactics, from nonviolent direct action to education, lobbying,

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<sup>196</sup> Mike White, "Group Wants Spy Base Closed," *Marlborough Express*, Nov. 16 1998.

<sup>197</sup> "Spy Base Petition Organiser to File Complaint," *Dominion Post*, Jun. 7 1999.

<sup>198</sup> Andrea Vance, "More Illegal Spying," *Press*, Apr. 9 2013.

<sup>199</sup> Murray Horton, "A Dotcomedy of Errors: GCSB Illegally Spies on New Zealanders. We Told You So," *Peace Researcher* 44 (2012): 3.

<sup>200</sup> Audrey Young, "GCSB Bill Passes after Final Reading," *New Zealand Herald*, Jan. 22 2013.

<sup>201</sup> John Lewis, "Crowd Turns out for GCSB Protest," *Otago Daily Times*, Jul. 29 2013.

research, court processes and political action, campaigners have fought to close the base. In the areas of education, research and political action, the campaign has seen moderate success, with considerable publicity and some law changes resulting. In the other areas, the campaign has struggled to achieve results, and even when nonviolent action has had actual impacts on the base, such as the Domebusters campaign, it has not been strong enough to win any substantial victories. While the campaign has generated a great deal of awareness of the spy base and the GCSB, it has failed to engage a broad range of the New Zealand community in opposing it. In 2010 Leonard suggested one of the main reasons for this failure:

It short, we've tried about everything we can think of to expose the GCSB and its activities to public scrutiny. It hardly needs saying that the cult of secrecy (embedded in legislation) that surrounds the GCSB and its operatives is their greatest asset. They refuse to engage in discussion or debate, they issue annual reports to Parliament that are devoid of substance, the rules under which they operate are dictated by foreign intelligence bodies, and the five nation agreement among the US, UK, Canada, Australia and New Zealand (so-called UKUSA agreement of 1948) is top secret, its content known only within the intelligence establishment.<sup>202</sup>

It is this issue that makes Waihopai an interesting case study of nonviolent protest. Is the inability to close the base inherent to the nature of the base and its governing institutions? Is it possible to close a base like this through a public campaign of nonviolence? Or is the failure of the campaign the result of failing to follow the principles and examples of nonviolent action. The next chapter will return to our nonviolent checklist to analyse whether the anti-Waihopai campaign has followed these guidelines, and if they explain its failure.

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<sup>202</sup> Bob Leonard, "'Domebusters' Trial Suppressed Evidence: Bob Leonard's 'Inadmissible' Defence Affidavit," *Peace Researcher* 40 (2010): 21.

# Chapter Three: Waihopai as a Model Pragmatic Nonviolent Campaign?

In order to assess Waihopai as a pragmatic nonviolent campaign, and to assess the theory of nonviolence against it, I will return to the eleven point checklist. For each I will pull together the material from the previous chapter, analyse it against the relevant parts of the theory, and come to a conclusion both as to the extent by which Waihopai fulfilled this condition, and the success, such as it can be assessed, of this approach. I will then consider whether there are additional factors which should, at least in the context of this case study, be considered.

## Nature of the Campaign

First, for the campaign to be considered as nonviolent it must be collective in nature, active rather than passive, undertaken outside the formal institution of the state, avoiding the use of all types of violence.

In relation to collective action, the various elements of the campaign, particularly protests at the base, from smaller protests which have involved small numbers, to larger protests which have involved up to two hundred, fulfil this condition. Not only have actions always been collective, but, particularly during the first decade of the campaign, action plans were decided collectively by protest participants. This caused issues with the direction of the campaign and raises questions about the strategies, particularly in the mid-1990s when the right to cross Defence land and conflict with police came to dominate the campaign. It did however give all participants the ability to have ownership of actions and to engage at levels at which they felt comfortable. By the mid-2000s there was a discontent with the 'protest and persuasion' methods of the campaign run by the Anti-Bases Campaign (ABC). This discontent was expressed publicly, and influenced the actions of the Domebusters, the smallest action over the thirty years (comprising three participants and their supporters).

The campaign fulfils the condition of being active. The whole campaign has been an attempt to seek information, to distribute that information to the New Zealand public, to change laws and policies, and, most importantly, to prevent the base being built or to shut it down. With the secretive, often passive, nature of the government and GCSB opponent, the campaign has had to be active in seeking to force engagement and response. Passive protest, such as relying on

the information that the government put in the public arena, would not have worked.

The campaign has mostly existed outside the formal institutions of the state. Beyond several individual Members of Parliament, and the Green Party, the campaign has existed entirely in protest organisations and individuals. When MPs have engaged with the campaign, they have done so by attending protest events, or responding to public pressure. The campaign has actively pressured MPs through lobbying, petitions, and media attention, but has not often engaged with the formal institutions of the state, even when seeking to influence political party policy.

The campaign has not used any type of violence. There are no reports of any violence against individuals by protesters. Protesters have not actively resisted arrest, indeed often they have willingly been arrested. The campaign has used sabotage, which will be discussed later.

The general nature of the campaign is therefore nonviolent in nature, engaging in collective action, active in nature, and existing outside the formal institutions of the state. The campaign fulfils this condition.

#### Pragmatic

Second, for the campaign to be pragmatic in nature it must focus on end goals, and seek to win against the opponent primarily through accommodation or coercion rather than persuading them to change their minds through conversion.

The commonly stated aim of the campaign is to close down Waihopai spy base (and the GCSB that runs it). This goal has been consistent throughout the thirty year history of the campaign. Protesters have been flexible in their means to achieve that goal, from more respectable activities such as education, political lobbying, and submissions, to civil disobedience such as trespass, property damage, occupations and disruption of the activities of the GCSB and the spy base. The campaign has not hesitated to switch methods in order to try and achieve success in the campaign, and it has celebrated methods such as the Domebusters action, in which significant damage and cost was incurred, despite the campaign at that time being focused upon education and persuasion of the New Zealand public. In short, the end goal has justified the means, in an entirely pragmatic way, within the constraints of nonviolence.

Is the campaign seeking to win through accommodation or coercion, or is it seeking to persuade the opponent through conversion? There is very little evidence of conversion as a method. Actions which interact with GCSB staff, police, and security tend to be oppositional, rather than

seeking to convert them to the protester's point of view. While the campaign does have a history of trying to persuade politicians to their point of view, they have stated publicly that they have given up on the Labour and National parties that dominate New Zealand politics.<sup>203</sup>

However, there is also little evidence of a campaign that could win by accommodation. A refusal to engage with political parties, no evidence of negotiation, and a stated goal which is absolute, without allowing for any middle ground, all point away from accommodation as a method of change. However this conclusion should be tempered by the recognition that the campaign has rarely had the strength to force negotiation, and to therefore need to consider what a compromise position on the base might be. Certainly, over the past two decades, if the campaign had been more effective, accommodation would have been the likely method of change.

There is some evidence of a campaign seeking to win via coercion. Early direct actions at the base, both against the construction and the operating facility, did not just seek publicity via nonviolent direct action. They sought to put pressure on the GCSB and the government through occupations, stopping work, and making secret information public. Again, however, the inability of the campaign to do this from a stronger position limited the impact of coercion. Indeed, the times when the campaign was at its strongest were when outside influences - such as the government admission that the GCSB had spied on 85 people illegally - occurred. The most significant pressure put on the opponents via conversion were not at the instigation or control of the campaign.

The campaign is therefore pragmatic in nature, with a focus on ends over means in seeking change. Although there is evidence of accommodation and coercion as methods of change, these are diminished by the weakness of the campaign. There is little evidence of conversion as a method of change. The campaign therefore fulfils this second requirement.

#### Consent Theory of Power

Third, the consent theory of power needs to be applicable. That consent will need to be voluntarily given, rather than structurally imposed. There must be pillars of support for the opponent which could be removed through the protesters' powers of leverage.

There are pillars of support for the Waihopai spy base and the GCSB. One is the New Zealand

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<sup>203</sup> Murray Horton to The Daily Blog, Oct 29, 2017, <https://thedailyblog.co.nz/2017/10/29/not-very-great-expectations-at-all-anti-bases-campaign/>.

and international institutions that work in this space – the New Zealand Security Intelligence Service and New Zealand Police who use the services of the GCSB, and the other Five Eyes partner spy agencies and their governments. Both sets of institutions are pillars of support, that, if that support was withdrawn, the goals of the campaign would advance. If the Five Eyes partners were to withdraw their support, the GCSB would not have the network to feed into and receive information from, nor the support of the larger Five Eyes spy agencies which provide much of the hardware, software, and expertise. This support is given voluntarily, as the Five Eyes partners are fully informed about the activities of the GCSB.

I note again here Piven and Cloward's argument that people cannot defy institutions to which they have no access and to which they make no contribution.<sup>204</sup> The social distance between the GCSB and the other spy agencies, and the protesters, along with the secretive and institutionalised nature of the GCSB and Five Eyes network mean that protesters have limited influence over this pillar of support.

Easier to access is the pillar of support made up by the government and Parliament which write the laws that govern the GCSB, set its budget, and appoint the ministers that oversee the institution. If the government was to change to one which had a policy of shutting down the GCSB, it is possible that, regardless of domestic and international pressure, this would occur. The 1984 election of the Labour government under a nuclear free policy and the subsequent nuclear free legislation indicates this. The government's support to the base is also given voluntarily. A series of governments have continued to oversee and run the GCSB in the face of ongoing protests and frequent speculation about their activities,

While the New Zealand voting public could be seen as a pillar of support for the base, I would argue that its support is largely via the proxy of elections. The wider public does not have any direct control over the activities of the base, they only have control over the makeup of parliament and some influence over the policies that they enact. At this point I turn to Galtung's argument for a "great chain of nonviolence", which uses dependence relationships between intermediaries to apply leverage.<sup>205</sup> There is value therefore in having the voting public, who might be otherwise inactive in the campaign, educated and concerned about the issues raised by the campaign, if that concern can be turned into leverage over the makeup of parliament and

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<sup>204</sup> Piven and Cloward, *Poor People's Movements*, 23.

<sup>205</sup> Johan Galtung, "Principles of Nonviolent Action: The Great Chain of Nonviolence Hypothesis," in *Nonviolence and Israel/Palestine*, ed. Johan Galtung (Honolulu, HI: University of Hawaii Institute for Peace, 1989).

the policies that it enacts.

The last pillar of support for the GCSB is the staff that work there. While it would be easy to assume that the staff working in a spy base would be impossible to turn to work against it, the work of Nicky Hager and the numerous GCSB sources that he used for *Secret Power* indicate that this is not so. While this is not a support pillar that could likely be removed to bring down the institution, it is a pillar that has provided useful information that has advanced the campaign. Indeed, information from the inside of the Five Eyes network released to researchers and the media has probably been the most successful element of the campaign.

The campaign has had a particular focus over the past two decades on the local Blenheim community, through education and an approach to protests that keeps that community onside. However it is not apparent that the local community is a pillar of support. The support of the local community was not sought before the base was built, and beyond staff living in the local area, there are no clear benefits to the community of the base being there. There are advantages from keeping the local community on side, such as providing additional protesters and a constant presence, but that does not make it a pillar of support for the base.

The pillars of support of the spy base and the GCSB are therefore the Five Eyes network, the government, and GCSB staff. Because of limited control over the former and latter, only a change of government would cause the spy base to be closed. The New Zealand public is also significant, via their ability to influence Parliament and the government. The local Blenheim community is not a pillar of support for the spy base.

### Field of Contention

The fourth question is, was the campaign conducted on a field of contention which highlighted the asymmetry of the violence of the opponent and the nonviolence of the resisters, where people power has the greatest impact?

In a modern western democracy such as New Zealand, direct violence against protesters does exist, but it is not common.<sup>206</sup> In the history of protest at Waihopai spy base there is no indication of protesters being treated violently. Indeed, often protesters have agreed to be arrested, as if that were the sole aim of protesting, and police have normally escorted them

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<sup>206</sup> See, for example, Kyle Matthews, "September 28 1993" (University of Otago, 2000) and the 1981 Springbok Tour.

through that process professionally.

But the violence that nonviolent protesters are seeking to make evident is not just the response of the state to its actions. The asymmetry of violence/nonviolence could also be between the actions of the protesters and the activities of the system that Waihopai supports. If Waihopai is, as protesters claim, infringing on the privacy and civil rights of indigenous movements in the South Pacific and oppressing individuals and groups through counter-terrorism policies and actions, then this is a type of violence which could be made apparent. In the most part the campaign has failed in bringing forth the asymmetry in this way. With the exception of the Domebusters, who directly linked the base to victims of the War on Terror in Iraq, the campaign has spoken about this link, but has not made it explicit through nonviolent action. The campaign's confusing imagery which shifts from year to year, and changing focus between civil rights, privacy, and peace issues has prevented this.

This inability to create a field of contention is a major failing of the campaign. The campaign recognised this issue before construction of the base had even begun, noting that the issues were more complex and technical, and that "people miss the connection between the bases and the insidious nuclear war-fighting strategies dominating the US global view".<sup>207</sup> The inability to create the link was no stronger post-2001 when the goal should have been to connect the base to the War on Terror, particularly in Iraq, which was not widely supported by New Zealanders. The campaign raised these issues frequently in their speeches and educational materials, but they were very rarely able to bring them to a field of contention.

#### Methods of Nonviolence Used

The fifth question is, which of the three methods of nonviolence (protest and persuasion, non-cooperation, nonviolent intervention) did the campaign use?

The campaign has used two of the methods of nonviolence. The initial stage of the campaign used nonviolent intervention, via occupations, sabotage, and breaking into the base. After this first phase, the campaign moved away from this method. The second phase produced tactics which were unclear in terms of this typology. Protesters sought to reclaim the right to protest at the security gate of the base rather than the farm gate, and numerous protesters were arrested in pursuit of this. Further protesters were arrested in protest at police actions. Neither action was in pursuit of nonviolent intervention, because if they had been successful, the end result would

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<sup>207</sup> "Anti-Bases Campaign Discussed at National Peace Workshop".



simply have been protest and persuasion in a different place outside the base, without police arresting police liaisons. Yet they also are not obviously protest and persuasion, or non-cooperation, because the target has ceased to be the base and its actions, but instead issues of civil rights while protesting. The best fit for this period is protest and persuasion, but about an issue which is only tangentially related to the goals of the campaign.

Over the past two decades the campaign has been firmly focused on methods of protest and persuasion, out of concern that the methods of the first decade of the campaign were not working, and to seek to keep the local Blenheim community engaged with protesters and learning about the base. Some of the strongest elements of the campaign, such as research and engagement with the government over law changes, sit within the persuasion component of this method. The only exception to this was in 2008 when the Domebusters engaged in sabotage, a return to nonviolent intervention which came as a surprise to the ABC which was in sole charge of the campaign by then.

There is very little evidence of the campaign using non-cooperation. There was no attempt to place pressure on contractors building the various components of the base from amongst the local community, nor on GCSB staff, either in Blenheim or Wellington. Most of these options in hindsight appear unlikely to have assisted the campaign, and it is logical that the campaign avoided them. The only non-cooperation which did occur was the release of information from inside the GCSB to Nicky Hager. This low level activity from within the opposition made a significant contribution to the campaign.

The methods of nonviolence used by the campaign were therefore primarily nonviolent intervention and protest and persuasion. Non-cooperation had a very limited role.

#### Methods Likely to Engage Mechanisms of Change

The sixth question is, were the methods used likely to engage any of the four mechanisms of change (conversion, accommodation, coercion, disintegration)? The only conversion from the pillars of support to the protesters has been some limited support from staff inside the GCSB by the provision of information. This is valuable as part of the campaign, but that is where the conversion has stopped – well short of any substantial change within the organisation. There has been no conversion of either of the other two pillars of the international Five Eyes network or the government. Of all the political parties in New Zealand, only the Green Party has been a consistent opponent of the GCSB and Waihopai spy base. The ABC has effectively given up on the Labour Party, a likely target of a parliamentary conversion and has deliberately chosen

not to follow the model of the nuclear free campaign, which was eventually successful through the adoption of a nuclear free policy by Labour, and their election to government in 1984. The abandonment of this potential method of change is somewhat confounding. The campaign has not sought to infiltrate the party grassroots, many of whom would be opposed to the base and its activities, and to create upwards pressure for the party to adopt a policy of change. The current Prime Minister Jacinda Ardern's partner, Clarke Gayford, met her in 2013 when he arranged a meeting with her to discuss the potential erosion of privacy proposed by the GCSB Amendment Bill.<sup>208</sup> There are opportunities in relation to Labour led governments that the campaign has not exploited because they feel that Labour is not interested. Yet nonviolence provides a mechanism to make a political party interested, by giving power to an engaged party membership. The campaign's educational approach alone is unlikely to lead to change. Shock's argument that campaigns should engage in multiple channels (institutional and non-institutional) has predicted this failure by the campaign.<sup>209</sup>

The actions of the campaign are however likely to lead to accommodation, particularly research, legal campaigns and engagement with the government over law changes. Indeed the campaign provided several opportunities for education, and one of the successes of the campaign is that it has maintained public awareness of the base and pressure on the government, so that when issues such as illegal spying come up, the media and some of the public have a basic awareness. Unfortunately for the campaign many accommodations have either been of mixed value, or have achieved the opposite of what the campaign sought. An example is the 2013 law change in which the government, having said for years that New Zealanders were not able to be spied on, sought to 'clarify' the law, allowing New Zealanders to be spied on under certain conditions. I would argue that a refusal to engage further in a political space, with, for example, the Labour Party, has limited the ability of the campaign to capitalise on these opportunities.

The third and fourth methods of change, coercion and disintegration, are both unlikely in the context of a modern Western democracy such as New Zealand, and unlikely to be successful given the methods of the campaign. There is no reasonable argument that any New Zealand protest movement over the past fifty years, regardless of success, has caused coercion or disintegration of any opponent.

The relevant mechanisms of change are therefore conversion and accommodation. The methods

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<sup>208</sup> "PM Jacinda Ardern Quashes Speculation She Got Engaged at the Weekend," *Stuff*, Dec. 4 2017.

<sup>209</sup> Schock, *Unarmed Insurrections: People Power Movements in Nondemocracies*, 164-70.

of the campaign were not likely to lead to either. An inability to operate simultaneously in both the protest space, along with working to capture a major political party such as the Labour Party, is a major failing of the campaign. It has not identified a plan which incorporates a likely mechanism of change.

#### Response of the Opponent

In the most part the campaign has been unable to force a response from the opponent. Over the first decade, the most response that protests aroused was arrests or other intervention by the police. Despite debates about various actions of the police which protesters sometimes felt was inappropriate (arresting police liaisons, one officer wearing a TASER for which police later apologised) at no time was there violence on the part of the police. Arrests were normally reasonable, and often sought by protesters as part of their campaign.

The GCSB response to the campaign has almost entirely been absent. There have been a few brief appearances by GCSB staff in court, opportunities that arrested protesters have been unable to capitalise on. GCSB staff have had almost no interaction with the campaign, and the institution has remained relatively anonymous. The main exception was the GCSB 2006 media statement following the reporting on Lange's top secret GCSB materials, though I also note former GCSB Director Sir Bruce Ferguson's confirmation of the GCSB's mass collection methods on New Zealanders in 2015.<sup>210</sup> An inability to remove the veil of secrecy from the GCSB has been an ongoing issue during the campaign.

The campaign has had greater success with getting a response from the government. At various times the government has responded to campaign claims about the base and its activities.<sup>211</sup> However this response has tended to devolve into a debate about the reality of these activities between the two sides which has been hampered by secrecy and obfuscation on the part of the government.

The campaign has had some success when protesters have been subject to legal responses, particularly the Domebusters. The criminal and civil legal cases after this action generated as much attention as the original action, and the civil case was quietly dropped once the

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<sup>210</sup> Bruce Ferguson, interview by Guyon Espiner, *Morning Report*, Radio NZ, Mar. 15, 2015.

<sup>211</sup> See, for example, "Anti-Base Coalition Claims 'Nonsense': P.M.," *Marlborough Express*, May 5 1988; Helen Clark, Letter to Jim Chapple, Jul. 12 1994; Editorial, "Waihopai Satellite Station," *Marlborough Express*, Jan. 30 1995; Graeme Speden, "Spies 'Misled PMs over Links to US Network,'" *Dominion Post*, Aug. 15 1996; Cathie Bell, "Upton 'Misleading' on Spy Recordings," *ibid.*, Jan. 12 1998; "Spy Base Petition Organiser to File Complaint," *ibid.*, Jun. 7 1999; "Spy Acts All Legal, Says Key," .

government had 'saved face'. This was a significant victory.

But overall the inability of protesters to force a response from the opponent has stymied the campaign. Where there has been a response, it has in the most part been voluntary and considered by the government, rather than forced and irrational. The opponent has therefore retained control over how, when, and where it responds, and has in the most part chosen not to. The campaign has been unable to wrest control of this dynamic by forcing the opponent to respond. The significance of the inability to force a response has been predicted by Sharp.<sup>212</sup>

#### Campaign's Reaction to that Response

How did the campaign react to that response? First I note that the limited response makes the ability to answer this question limited. I cannot speculate what the reaction would have been to responses that did not occur.

In relation to engagement with the government, the campaign has invested considerable resources in seeking to win arguments about the activities of the base, and educating the public about these actions. In what Keyes<sup>213</sup> has termed a 'post-truth era' however, where there are not just truth, and lies, but a third category of statements that are not exactly the truth, but which fall just short of a lie, the campaign has never quite won this battle. Indeed, often by the time documents have proven much of what the campaign has argued, the government argument changes and it 'clarifies' the law, and the public debate moves on. It is, however, difficult to imagine a strategy which could have approached this problem differently. To return to Gandhi's definition of *satyagraha*, which is "the fight for truth and collective self-realisation through nonviolent resistance against falsity, violence and oppression, and a preparedness to endure the personal consequences of this fight and struggle",<sup>214</sup> it is clear that inherent to nonviolent action is a search for truth, and a resistance against deception, which leaves protesters on difficult ground if they chose not to engage in this debate.

The campaign's reaction to the main government response, the legal cases pursued against the Domebusters, has been supportive, but it has not been able to turn this into a victory for the campaign. The position, at the end of the legal battle, was a return to default position – the GCSB operating as normal and protesters avoiding considerable legal and financial

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<sup>212</sup> Sharp, *Waging Nonviolent Struggle*, 378.

<sup>213</sup> Ralph Keyes, *The Post-Truth Era: Dishonesty and Deception in Contemporary Life* (New York: St Martin's, 2004).

<sup>214</sup> Vinthagen, *A Theory of Nonviolent Action*, 31.

consequences. The campaign did not discontinue its actions, but by this stage they were so weak as to be ineffectual. The theory suggested that further nonviolent action would escalate the conflict, but there was no attempt to respond to the government's actions by engaging in further nonviolent action, whether against the base, or against the government institutions involved in running it and pursuing the Domebusters. This was a missed opportunity.

Despite the small response of the opponent to protesters, the campaign therefore failed to take opportunities to engage in ongoing actions. However this occurred, not as Sharp predicted, because they were afraid of repressions, but instead because the campaign was too weak and failed to take the opportunity to raise the stakes further when it was approaching a moment of heightened intensity. This is likely due to a lack of resources - a mobilisation problem.<sup>215</sup>

Did Political Jiu Jitsu Occur?

Did 'political jiu jitsu' take place where a nonviolent response to repression empowered the nonviolent movement? There is no evidence of political jiu jitsu occurring in this campaign. The author has previously noted this process occurring in protests in New Zealand,<sup>216</sup> so it is not impossible in this context, but the campaign against Waihopai has failed to generate the sort of repression which would bring political jiu jitsu into play. There has been no violent repression, very little restriction on civil liberties, and legal measures have tended to be restrained.

It is therefore not possible to assess this part of the nonviolent theory using this campaign, except in its absence. Indeed, the failure of the campaign to bring the interaction between protesters and the opponent to a condition where a response has been forced from the state, where political jiu jitsu could occur, is a likely answer to its failure.

Would Principled Nonviolence have Led to Better Outcomes?

Would, therefore, the campaign have been likely to be more successful if it had adopted a principled rather than pragmatic approach? What would a principled nonviolent campaign have looked like? First, there would be more of a focus on the self, particularly self-improvement. Some elements of this have appeared in the Waihopai campaign, particularly the women's camps which had a strong focus on education and feminism. Expanding this across the whole campaign would have required a less transitory protester population, with greater commitment

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<sup>215</sup> For more on mobilization, see Schock, "The Practice and Study of Civil Resistance".

<sup>216</sup> Matthews, "September 28 1993".

to broader issues of nonviolence.

Second, there would have been a programme of constructive nonviolence. It is difficult to imagine a way for the campaign to create an alternative spy base, with different policies and targets, both because of the technical nature of the type of spying that occurs at Waihopai, but also because the stated aim of the ABC has been to close the base and not engage in spying of this nature. This is not the universal view of everyone in the campaign,<sup>217</sup> but it certainly is the dominant one. I note however the functional theories of Robert Merton, who argued that institutions serve a function for society, and if those institutions are removed without constructing an alternative that supplies those functions, society demands their return. The goal should therefore not be to just close down the GCSB, but replace it with something which meets the needs of society in a better way. Sharp argued for peace movements to draw a distinction between structure and function – by accepting the need for defense, without accepting the need for a military. This distinction opens up a space to consider alternative means of defense.<sup>218</sup> In the post-911 environment, the functions that society is seeking to fulfil are security and safety, indeed these are the arguments that the government has turned to in order to justify the GCSB's ongoing existence and legal structure. While it would not be possible for the campaign to build an alternative, it would be possible to describe what that constructive alternative might look like. The ABC has not outlined what a spy agency based on respect for international law, security of New Zealanders, and transparency and accountability might consist of. There is however considerable material on civilian-based defence and alternatives to traditional military, which would provide a good starting point for this debate.<sup>219</sup> This would be a valuable exercise, particularly in the hope of achieving change through accommodation.

Third, the campaign would focus increasingly on conversion, with nonviolent action, particularly the suffering of nonviolent actionists being a tool to achieve that change. There are elements of this in the principles of the 2008 ploughshares action, particularly the commitment to stay and face arrest and legal consequences. If this was to be more widespread throughout the campaign, we might see longer term commitments to protest action, possibly a blockade of the base which prevented staff entering for several days, and protesters placing themselves in

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<sup>217</sup> Nicky Hager argues not for an end to the collection of intelligence, but for a leaving of the UKUSA alliance and the Five Eyes network. See Hager, *Secret Power* chapter 14.

<sup>218</sup> Sharp, *Social Power and Political Freedom*, 272-73.

<sup>219</sup> See for example Gene Sharp, *Making Europe Unconquerable: The Potential of Civilian-Based Deterrence and Defence* (Cambridge, MA: Ballinger, 1985); Gene Sharp, *Civilian-Based Defence: A Post-Military Weapons System* (Princeton, NJ: Princeton University Press, 1990).

situations which forced a strong response from the police.

Lastly, an increased focus on means might lead to the abandonment of secrecy and property damage in the planning and implementation of protests.

It is difficult to assess whether these principled alternatives would have made the campaign more successful. Some certainly would have required a greater commitment to internal issues such as education and nonviolence training, while others a greater commitment to protest in order to engage Gandhian suffering principles. Overall it would require more people with a greater commitment to the campaign – elements which may also have made the pragmatic approach more successful. They do however highlight alternatives which can be considered.

#### Effectiveness of Sabotage

How effective was sabotage as part of the nonviolent campaign? The campaign against Waihopai provides an opportunity to assess sabotage as part of two different strategies. The first is the use of sabotage to facilitate protest. This happened in several different occasions in the first couple of years, including during construction. Several times protesters cut through (and in one instance drove through) the fence or gate to get access to the secure part of the site, to then occupy it. This illustrates the difficulty of gaining access to the facility once security fences were built. This tactic facilitated wider nonviolent protest, and had few negative consequences for the campaign. In relation to Sharp's concerns about sabotage, these protests involved large numbers of protesters and did not move the field of contention to between human beings and property, the property was simply an obstacle in the way of the protest action being effective.

The second is sabotage as a goal in itself. Early on protesters cut farm fencing, and dug up and cut service cables. These activities were done in secret, had little impact upon the base, and received little attention, positive or negative. In terms of keeping the local community on side, they certainly were ineffective, and protesters abandoned them for the rest of the campaign.

The Domebusters action is more difficult to assess. While the action was also conducted in secret, the activists did not take the opportunity to flee the site after its completion, but instead stayed to be arrested, and face the legal consequences and public outrage. Those legal consequences were divisive, but provided a large victory for the campaign when they were found not guilty of criminal charges, and the state was subsequently unable to pursue a civil case. The action did put one satellite dish out of action for a time, making this the only act of

sabotage which had actual impacts upon the base and its activities. In relation to Sharp's concerns about sabotage, the action did involve a small group of people, but was successful regardless. And, despite the action being taken against property, the field of contention rapidly focused to being between the Domebusters and the government, so property damage did not divert from this.

It is therefore impossible to rule out sabotage as a nonviolent action based on this case study. Sabotage can be carried out collectively and with concern for the opponent, and does not necessarily breach Sharp's principles of nonviolence. However it is best used in minor ways, to achieve larger protest goals, or, when used as a goal in itself, openly and with full intention to face the consequences.

#### Limitations of Pragmatic Nonviolent Theory

What are the successes and failures of the campaign that are not explained by pragmatic nonviolent theory?

Many times the campaign has been strengthened when an outside event has occurred that the campaign has been able to take advantage of. The Kim Dotcom arrest with its illegal spying revelations, and the resulting law change have been some of the more significant moments for the campaign, when a wide spectrum of New Zealand was becoming more aware of the base and debating what happened there. This influence of outside events is not part of the nonviolent theory applied in this case study, and it would be a valuable addition.

In April 2017 New Zealand hosted a conference in Queenstown of the agencies that make up the Five Eyes network.<sup>220</sup> The meeting passed without protest, or even comment by the ABC, despite the heads of all five spy agencies, plus the heads of security agencies such as the FBI, CIA, New Zealand's SIS and police, and various government Ministers and officials being present. This is a missed opportunity. No attempt was made to organise activists from across New Zealand, particularly those near to Queenstown, to protest this event. The ABC has no social media presence, a reflection both of concerns with the security of social media, and the age and technical competence of the members of the organising committee, so its ability to attract activists via passive means and coordinate them quickly from their base in Christchurch is limited.

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<sup>220</sup> Issac Davison, "Revealed: The 'Very, Very Important' People Coming to NZ," *New Zealand Herald*, Apr. 20 2017.



This is but one example of the campaign's inability to maintain constant pressure upon their opponent. In the early years of the campaign, there were multiple events at the base, but after it was opened, this quickly settled down to one or two a year. The campaign became something that could be engaged with for a weekend, and then ignored for the rest of the year. When actions or external events provided opportunities, such as the Domebusters action, the campaign was unable to take advantage of them by further nonviolent action. Resourcing is an important factor in a campaign, but it is not explicitly outlined in our nonviolent theory.

## Conclusion

Beyond these exceptions however, nonviolent theory has acted as a good predictor of the successes and failures of the campaign. The campaign has largely followed pragmatic nonviolence principles. There are identifiable pillars of support which could be engaged on a field of contention, but the campaign has struggled to do this. Campaign methods have focused on nonviolent intervention initially, and protest and persuasion throughout, but these methods as implemented have been unlikely to engage a mechanism of change. The biggest failing of the campaign has been an inability to force a response from the opponent, limiting the ability of the campaign to react, and preventing political jiu jitsu from occurring. Principled nonviolence has been considered as an alternative, but its possibilities come with increased resource cost and commitment, and sabotage has been effective as a protest method when used correctly. Pragmatic nonviolence theory has predicted the failures of the anti-Waihopai campaign.

# Conclusion

Writing in 2008, Jarrod Booker of the *New Zealand Herald* provided this assessment of the annual protest at the base:

A small band of protesters know they will be ignored as they march on New Zealand's top-secret Waihopai "spy base" today.

Just like every other year, their calls for the closure of the facility that "leaves blood on New Zealanders' hands" will be met with deafening silence from those behind the high-security perimeter fence.

But protest organisers will not be put off. "We keep going as long as the bloody place is there... to at least remind people about it."<sup>221</sup>

Booker is reporting on a campaign, which is about to get a large boost only three months later with the Domebusters action, but which is accepting of its failure over twenty years to achieve its major goals. By this stage, the campaign was limited to an annual protest in Blenheim and outside the gates at which it tried to educate the public and get some media attention nationwide. And yet two years later, a *Dominion Post* editorial on the Domebusters trial noted that:

The curiosity is Father Murnane's comment outside the court that "we have shown New Zealanders there is a US spybase in our midst". It is no great secret that there is a base at Waihopai, and nor is there a swell of public opinion against it, though it is a regular target for protesters.<sup>222</sup>

For most of the past three decades, there has been a campaign running in New Zealand to inform the public, particularly the local Blenheim community, about the spy base and what it does. This campaign goal has largely been successful, as many New Zealanders know that Waihopai exists, and have some understanding of the debates about what goes on there. But that is where the campaign stops. Education, in itself, has not brought about change to this situation, and, I would argue, given the perceived strategic value to the government of being part of the Five Eyes network and running Waihopai, nor will it ever. Meyers notes that, where it is used and

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<sup>221</sup> Jarrod Booker, "Protest Targets Spy Base," *ibid.*, Jan. 26 2008.

<sup>222</sup> Editorial, "Waihopai Trio's Logic of the Righteous," *Dominion Post*, Mar. 20 2010.

tolerated, the ‘ritualization of civil disobedience practices make protest safer, easier, and more prevalent, [yet] they also make it less effective’”.<sup>223</sup> The anti-Waihopai campaign has fully entered this ritual space.

This dissertation has been an attempt to answer why this has occurred, by comparing the campaign with pragmatic nonviolence theory. It has begun by outlining pragmatic nonviolence theory, creating a list of eleven points and questions to analyse the Waihopai campaign against. A pragmatic nonviolence campaign should involve collective action undertaken outside the formal institution of the state, avoid the use of all types of violence, be pragmatic in nature, and be applied to a campaign where the consent theory of power applies, with pillars of support for the opponent. In order to assess the campaign it was considered whether it took place on a field of contention which highlighted the asymmetry of the violence of the opponent and the nonviolence of the resisters, which of the three methods of nonviolence (protest and persuasion, non-cooperation, nonviolent intervention) it used, whether these methods were likely to engage any of the four mechanisms of change (conversion, accommodation, coercion, disintegration), did the nonviolent resistance force a response from the opponent, how did the resistance react to that response, and did ‘political jiu jitsu’ take place where a nonviolent response to repression empowered the nonviolent movement. And then finishing with two questions: would adopting a principled approach have led to better outcomes, and was sabotage effective as part of a nonviolent campaign?

In outlining the case study of thirty years of protest at Waihopai spy base, I have begun with some information on the base and the debates about its activities. I have outlined the context in which the campaign started, both in terms of the wider peace movement in New Zealand up until 1987, but also specifically the history of the anti-bases campaign up to that point. Then the campaign against the base was outlined, starting with protests at the site, which can be summarised in three linear phases. The first, during construction and the first year of the base was a period of more intense protest, including site occupations and a four month long women’s camp. The second, which ran for most of the 1990s, saw ongoing protest, often focused on the right to protest at the front gate of the base and police responses to protesters. The third phase, which has run for the past two decades, has seen a focus on education, peaceful protest and keeping the local community onside. This third phase was however broken by a ploughshares action in 2008 which damaged the base. Then the broader campaign was explored, including

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<sup>223</sup> Lawrence Quill, *Civil Disobedience: (Un)Common Sense in Mass Democracies* (New York: Palgrave MacMillan, 2009), 2.

education, international links, research, legal processes, and traditional political action. These broader actions provided a significant amount of media attention and public awareness, but were unable to advance the campaign beyond that to achieve its goals.

Chapter three brought the earlier two chapters together, analysing the Waihopai campaign case study against the pragmatic nonviolence checklist. The campaign involved collective action, outside the formal institutions of the state, and did not use violence. The campaign is pragmatic in nature, with a focus on ends over means. It operates in a context where consent theory of power is applicable. Pillars of support are the New Zealand and international spy agencies, the New Zealand Parliament and government, and GCSB staff. The New Zealand voting public is an influence, but only in terms of their ability to influence the makeup of parliament and the policies that are instituted. The local Blenheim community is not a pillar of support. The campaign has struggled to identify and operate on a field of contention, particularly with its inability to link via nonviolent protest the base and New Zealander's concerns with the War on Terror.

The campaign chose to use nonviolent intervention and protest and persuasion as methods, rather than non-cooperation. The relevant mechanisms of change for the campaign were conversion and accommodation, however the methods of protest were unlikely to achieve either, due to a limited engagement with political parties that could enact change. The campaign has struggled to force a response from opponents in relation to its actions, and where the opponent has responded, it has been able to do so at times of its choosing. The campaign has struggled to react to the limited responses it has received, and was unable to engage in further direct action at the base after the Domebusters attack, which may have escalated the conflict and forced further responses. Political 'jiu jitsu' therefore did not occur.

Any assessment of the alternative principled nonviolence approach is speculative. There are possible advantages from an increased internal focus on the campaign, a more constructive approach to outlining alternatives to the base, and a greater focus on persuasion. However the greater resource commitment that this would require may provide a counterbalance to these advantages. Last, the Domebusters action provides an opportunity to assess sabotage, which Sharp rejected, as part of a nonviolent campaign. Sabotage can be effective when used in ways which continue to fulfil many of the nonviolent principles that Sharp outlined, and so it should remain part of the nonviolent toolbox.

The campaign against Waihopai has been most successful when it has been one of conflict,

conflict that forces a response. Nepstad idealises nonviolent campaigning thus:

...every move in a nonviolent conflict evokes a response from the other side. The struggle is a highly iterative process of offensive campaigns by civil resisters and defensive responses from their opponents, which in turn lead to further actions by nonviolent activists.<sup>224</sup>

The campaign against Waihopai never fulfilled this condition.

But Shock notes that the success of campaigns can be considered both in terms of their direct goals – in this instance, the closing down of the Waihopai spy base and the dismantlement of the GCSB. But alternatively they can be conceived in terms of their impact upon culture and individuals.<sup>225</sup> The success of the anti-Waihopai campaign over the last thirty years in this area should not be underestimated. The campaign has kept the public aware of the base, its activities, issues of privacy, spying, and involvement with international powers and their military actions. When the base comes to the forefront of the public's mind, the debate that follows is built upon this foundation. The campaign has not been without value.

When compared with pragmatic nonviolence theory, an analysis of the campaign highlights that the theory predicts the failures of the campaign. An inability to link methods of nonviolent action to mechanisms of change and to draw a response from its opponent, is key. This does not mean that if the campaign had followed the theory outlined, that their campaign would have been successful. Not all campaigns will be, and to campaign against a strategically important and secretive spying base is a significant challenge, due to the lack of transparency about what it actually does, and because successive governments, rightly or wrongly, have been committed to the base and its activities. However it is clear that the campaign would have been stronger if it had taken pragmatic nonviolent theory to heart, and modified its plans to fit it more closely.

Nepstad asks whether we can assume the factors shaping nonviolent revolutions against political rulers are the same as the ones that shape nonviolent struggles against other organisations and systems.<sup>226</sup> To conclusively answer that question would be to make a claim based entirely on speculation. However I can conclude that it appears likely that the theory is flexible enough to be adapted towards different contexts such as New Zealand, and specifically against a Five Eyes spy base, and within that context activists have to apply it with creativity

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<sup>224</sup> Nepstad, *Nonviolent Struggle*, 101.

<sup>225</sup> Schock, *Civil Resistance Today*, 159.

<sup>226</sup> Nepstad, *Nonviolent Struggle*, 167.

and flexibility to get around specific barriers and complications. There are no indications that a well-applied pragmatic nonviolent strategy would not work in this context.

I have considered whether there were significant factors in the campaign that were not predicted by the nonviolent theory. The theory does not account for external events, outside of campaign actions, that had a significant impact upon the environment that protesters and the opponent were operating in. The arrest of Kim Dotcom and the subsequent revelation that 85 New Zealanders may have been illegally spied on were significant influences upon the campaign and government actions in changing the law. The ability of campaigns to be prepared for and take advantage of these sorts of opportunities is key. The Waihopai campaign was unable to do this when the principal actors in the Five Eyes network were attending a conference in New Zealand in 2017 and no protest activity occurred. Campaigns need to engage full modern communication methods and structures, such as social media, and have adequate resourcing to take advantage of these sorts of opportunities.

The only place where the theory did not predict the nature of the campaign, was the inability of the campaign to react to the opposition's response. The theory predicted that the campaign might back down under repression. In this case study repression was limited. The inability of the campaign to react and escalate the conflict was due instead to a lack of resources and an unwillingness to take up these opportunities.

But other than these two notes, the pragmatic nonviolence theory outlined in chapter one is strong when compared with the Waihopai campaign. It has predicted many of the crucial elements of nonviolence, strategic planning, and implementation that reflect the strengths and weaknesses of the campaign. While only a case study, this research strongly suggests that the successes and failures of nonviolent praxis are predicted by nonviolent theory.

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